

State of Arizona
Senate
Forty-sixth Legislature
First Regular Session
2003

CHAPTER 253

SENATE BILL 1105

AN ACT

AMENDING SECTIONS 5-222, 11-600, 15-701.01, 15-789 AND 15-1408, ARIZONA REVISED STATUTES; AMENDING TITLE 15, CHAPTER 12, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 15-1410; AMENDING SECTION 15-1424, ARIZONA REVISED STATUTES; REPEALING SECTIONS 15-1425 AND 15-1429, ARIZONA REVISED STATUTES; AMENDING SECTIONS 15-1443 AND 15-1444, ARIZONA REVISED STATUTES; REPEALING SECTION 15-1445, ARIZONA REVISED STATUTES; AMENDING TITLE 15, CHAPTER 12, ARTICLE 3, ARIZONA REVISED STATUTES, BY ADDING A NEW SECTION 15-1445; AMENDING TITLE 15, CHAPTER 12, ARTICLE 3, ARIZONA REVISED STATUTES, BY ADDING SECTION 15-1446; REPEALING SECTION 15-1447, ARIZONA REVISED STATUTES; AMENDING TITLE 15, CHAPTER 12, ARTICLE 3, ARIZONA REVISED STATUTES, BY ADDING A NEW SECTION 15-1447; AMENDING SECTIONS 15-1448 AND 15-1449, ARIZONA REVISED STATUTES; AMENDING TITLE 15, CHAPTER 12, ARTICLE 3, ARIZONA REVISED STATUTES, BY ADDING SECTION 15-1452; AMENDING SECTIONS 15-1461, 15-1463, 15-1466 AND 15-1466.01, ARIZONA REVISED STATUTES; AMENDING TITLE 15, CHAPTER 12, ARTICLE 4, ARIZONA REVISED STATUTES, BY ADDING SECTION 15-1466.02; AMENDING SECTIONS 15-1467, 15-1468, 15-1470 AND 15-1481, ARIZONA REVISED STATUTES; AMENDING TITLE 15, CHAPTER 14, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 15-1802.01; AMENDING SECTION 15-1805, ARIZONA REVISED STATUTES; AMENDING TITLE 15, CHAPTER 14, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 15-1805.01; AMENDING SECTIONS 15-1806, 15-1808 AND 15-1821, ARIZONA REVISED STATUTES; AMENDING TITLE 15, CHAPTER 14, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 15-1821.01; AMENDING SECTIONS 15-1822, 15-1823, 15-1824, 15-1831, 15-1851, 15-1854, 41-1005, 41-2751, 41-2752, 41-2753, 42-5029 AND 49-550, ARIZONA REVISED STATUTES; RELATING TO COMMUNITY COLLEGES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

Be it enacted by the Legislature of the State of Arizona:

Section 1. Section 5-222, Arizona Revised Statutes, is amended to read:

5-222. Application of this chapter; definition

This chapter does not apply to any amateur boxing contest conducted by or participated in by the following institutions or organizations:

1. Any school, community college, college or university or an association or organization composed exclusively of schools, community colleges, colleges or universities when each contestant is a student enrolled in a school, community college, college or university. As used in this section, "school, community college, college or university" means every school, community college, college or university and every other school, community college, college or university determined by the state board of education, ~~state board of directors for community colleges~~ COLLEGE DISTRICTS AS DEFINED IN SECTION 15-1401 or the Arizona board of regents to be maintained primarily for the giving of general academic education.

2. A government unit or agency of the United States or this state and its subdivisions.

3. A nonprofit interstate association or intrastate association in this state which has standards and regulations for the physical safety of the participants at least equal to the requirements of this chapter, including such bona fide amateur associations or organizations.

4. A fraternal benefit society as defined in section 20-861.

5. Any bona fide private school whose primary purpose is instruction in the martial arts provided that the contests held in conjunction with such instruction are amateur.

Sec. 2. Section 11-600, Arizona Revised Statutes, is amended to read:

11-600. Burial of indigent deceased; disposal of property

A. When an examination has been completed by the county medical examiner or the person performing the duties of a county medical examiner and no other person takes charge of the body of the deceased, the medical examiner shall cause the body to be delivered to the funeral establishment, licensed pursuant to title 32, chapter 12, article 4, closest geographically to the place where the body is pronounced dead, for preservation, disinfection and final disposition. The medical examiner or person performing the duties of a county medical examiner may establish geographical areas within the county and a rotation system whereby the bodies are delivered equally in sequence to all licensed funeral establishments in each geographical area. All licensed funeral establishments in any incorporated city or town shall be in the same geographical area. Area boundaries in unincorporated areas shall be drawn so as to approximate equal distances between incorporated cities or towns in which a licensed funeral establishment or establishments exist. Upon request of any licensed funeral establishment, in writing, they shall be removed from participation in the receipt of medical examiner cases until they rescind their request. If there is not sufficient property in the estate of the deceased to pay the necessary

1 expenses of the burial, the expenses shall be a legal charge against the
2 county. Upon determination of indigency the funeral establishment shall
3 perform the normal county indigent burial, in the manner and for the fee then
4 being paid by the county, or release the body, upon county request, without
5 fee, to the funeral establishment designated by the county for other indigent
6 burials.

7 B. Notwithstanding subsection A of this section, the county medical
8 examiner may cause the body to be delivered to a community college under the
9 jurisdiction of the ~~state board of directors for community colleges~~ A
10 COMMUNITY COLLEGE DISTRICT AS DEFINED IN SECTION 15-1401, if the community
11 college has an accredited mortuary science program. On acceptance of the
12 body AND WITH PROPER AUTHORIZATION, the community college mortuary science
13 program shall ~~with proper authorization~~ preserve and disinfect the body,
14 prepare it for final disposition and deliver the body to a licensed funeral
15 establishment pursuant to subsection A of this section for final disposition.
16 For the purposes of this subsection, proper authorization may be provided by
17 the next of kin pursuant to section 36-831, subsection A or the public
18 fiduciary of the county.

19 C. Within thirty days after the examination, the medical examiner or
20 person performing the duties of the county medical examiner shall deliver to
21 the county treasurer or the legal representative of the deceased any money
22 or property found upon the body.

23 Sec. 3. Section 15-701.01, Arizona Revised Statutes, is amended to
24 read:

25 15-701.01. High school; graduation; requirements; community
26 college or university courses; transfer from
27 private schools; academic credit

28 A. The state board of education shall:

29 1. Prescribe a minimum course of study, as defined in section 15-101
30 and incorporating the academic standards adopted by the state board of
31 education, for the graduation of pupils from high school.

32 2. Prescribe competency requirements for the graduation of pupils from
33 high school incorporating the academic standards in at least the areas of
34 reading, writing, mathematics, science and social studies.

35 3. Develop and adopt competency tests for the graduation of pupils
36 from high school in at least the areas of reading, writing and mathematics
37 and shall establish passing scores for each such test.

38 B. The governing board of a school district shall:

39 1. Prescribe curricula that include the academic standards in the
40 required subject areas pursuant to subsection A, paragraph 1 of this section.

41 2. Prescribe criteria for the graduation of pupils from the high
42 schools in the school district. These criteria shall include accomplishment
43 of the academic standards in at least reading, writing, mathematics, science
44 and social studies, as determined by district assessment. Other criteria may
45 include additional measures of academic achievement and attendance.

1 C. The governing board may prescribe the course of study and
2 competency requirements for the graduation of pupils from high school which
3 are in addition to or higher than the course of study and competency
4 requirements which the state board prescribes.

5 D. The governing board may prescribe competency requirements for the
6 passage of pupils in courses which are required for graduation from high
7 school.

8 E. A teacher shall determine whether to pass or fail a pupil in a
9 course in high school as provided in section 15-521, paragraph 3 on the basis
10 of the competency requirements, if any have been prescribed. The governing
11 board, if it reviews the decision of a teacher to pass or fail a pupil in a
12 course in high school as provided in section 15-342, paragraph 11, shall base
13 its decision on the competency requirements, if any have been prescribed.

14 F. Graduation requirements established by the governing board may be
15 met by a pupil who passes courses in the required or elective subjects at a
16 community college or university, if the course is at a higher level than the
17 course taught in the high school attended by the pupil or, if the course is
18 not taught in the high school, the level of the course is equal to or higher
19 than the level of a high school course. The governing board shall determine
20 if the subject matter of the community college or university course is
21 appropriate to the specific requirement the pupil intends it to fulfill and
22 if the level of the community college or university course is less than,
23 equal to or higher than a high school course, and the governing board shall
24 award one-half of a carnegie unit for each three semester hours of credit the
25 pupil earns in an appropriate community college or university course. If a
26 pupil is not satisfied with the decision of the governing board regarding the
27 amount of credit granted or the subjects for which credit is granted, the
28 pupil may request that the state board of education review the decision of
29 the governing board, and the state board shall make the final determination
30 of the amount of credit to be given the pupil and for which subjects. The
31 governing board shall not limit the number of credits required for high
32 school graduation which may be met by taking community college or university
33 courses. For the purposes of this subsection:

34 1. "Community college" means ~~AN EDUCATIONAL INSTITUTION THAT IS~~
35 ~~OPERATED BY a community college under the jurisdiction of the state board of~~
36 ~~directors for community colleges~~ DISTRICT AS DEFINED IN SECTION 15-1401 or
37 a postsecondary educational institution under the jurisdiction of an Indian
38 tribe recognized by the United States department of the interior.

39 2. "University" means a university under the jurisdiction of the
40 Arizona board of regents.

41 G. A pupil who transfers from a private school shall be provided with
42 a list that indicates those credits that have been accepted and denied by the
43 school district. A pupil may request to take an examination in each
44 particular course in which credit has been denied. The school district shall
45 accept the credit for each particular course in which the pupil takes an
46 examination and receives a passing score on a test designed and evaluated by

1 a teacher in the school district who teaches the subject matter on which the
2 examination is based. In addition to the above requirements, the governing
3 board of a school district may prescribe requirements for the acceptance of
4 the credits of pupils who transfer from a private school.

5 H. The state board of education shall adopt rules to allow high school
6 pupils who can demonstrate competency in a particular academic course or
7 subject to obtain academic credit for the course or subject without enrolling
8 in the course or subject.

9 Sec. 4. Section 15-789, Arizona Revised Statutes, is amended to read:

10 15-789. Contracting and cooperative arrangements for career and
11 technical education and vocational education;
12 advisory committee

13 A. The governing board of a school district may contract with any
14 public body or with any private person for the purpose of providing career
15 and technical education and vocational education. For THE purposes of this
16 subsection, school districts are exempt from section 15-213.

17 B. School districts or community college districts may independently
18 or jointly make application for career and technical education and vocational
19 education monies.

20 C. School districts and community college districts may provide for
21 joint cooperation among themselves and with each other and with any
22 educational institution eligible to receive career and technical education
23 and vocational education monies as provided in section 15-784 for the
24 purposes of providing career and technical education and vocational education
25 and for the use of each other's facilities and personnel.

26 D. School districts, among themselves or with community college
27 districts, may jointly purchase, sell, lease or lease-purchase land,
28 buildings or other real or personal property for the purposes of providing
29 career and technical education and vocational education, including
30 establishing a jointly owned and operated vocational and technical center,
31 if:

32 1. The districts enter into an intergovernmental agreement pursuant
33 to section 11-952.

34 2. The state board of education and, if a community college district
35 is a party to the agreement, ~~the state board of directors for community~~
36 ~~colleges~~ THE GOVERNING BOARD OF THE COMMUNITY COLLEGE DISTRICT approve the
37 intergovernmental agreement.

38 E. If one or more school districts, among themselves or with a
39 community college district, enter into an intergovernmental agreement to
40 establish a jointly owned and operated vocational and technical center, the
41 governing boards of the districts shall establish a joint advisory committee
42 for the vocational and technical center consisting of:

43 1. At least one member of each school district governing board or a
44 designated district staff representative appointed by the respective school
45 district governing board.

1 2. If a community college is a party to the agreement, members of the
2 community college district board or designated district staff representatives
3 appointed by the community college district board equal in number to the
4 total number of persons appointed pursuant to paragraph 1 of this subsection.

5 3. Members engaged in commerce or industry in this state equal in
6 number to the total number of persons appointed pursuant to paragraph 1 of
7 this subsection, jointly appointed by the district governing boards.

8 F. A school district and a community college district may jointly
9 accept gifts or grants of monies, land or other real or personal property for
10 the purpose of providing career and technical education and vocational
11 education and may administer or dispose of the property in accordance with
12 the purpose of the gift or grant.

13 Sec. 5. Section 15-1408, Arizona Revised Statutes, is amended to read:

14 15-1408. Use of community college district resources or
15 employees to influence elections; prohibition

16 A. A community college district shall not use its personnel,
17 equipment, materials, buildings or other resources for the purpose of
18 influencing the outcomes of elections. Notwithstanding this section, a
19 community college district may distribute informational reports PAMPHLETS on
20 a proposed bond election as provided in section 35-454. Nothing in this
21 section precludes a community college district from reporting on official
22 actions of the governing board.

23 B. Employees of a community college district may not use the authority
24 of their positions to influence the vote or political activities of any
25 subordinate employee.

26 C. THIS SECTION DOES NOT PROHIBIT COMMUNITY COLLEGE DISTRICTS FROM
27 PERMITTING STUDENT POLITICAL ORGANIZATIONS OF POLITICAL PARTIES, INCLUDING
28 THOSE THAT ARE RECOGNIZED PURSUANT TO SECTIONS 16-801, 16-802 AND 16-803, TO
29 CONDUCT LAWFUL MEETINGS IN COMMUNITY COLLEGE BUILDINGS OR ON COMMUNITY
30 COLLEGE GROUNDS, EXCEPT AS PRESCRIBED IN SUBSECTION A OF THIS SECTION. EACH
31 STUDENT POLITICAL ORGANIZATION THAT IS ALLOWED TO CONDUCT LAWFUL MEETINGS ON
32 COMMUNITY COLLEGE PROPERTY SHALL HAVE EQUAL ACCESS AS ANY OTHER STUDENT
33 POLITICAL ORGANIZATION THAT IS ALLOWED TO CONDUCT LAWFUL MEETINGS ON
34 COMMUNITY COLLEGE PROPERTY.

35 ~~C.~~ D. Nothing contained in this section shall be construed as denying
36 the civil and political liberties of any employee as guaranteed by the United
37 States and Arizona Constitutions.

38 Sec. 6. Title 15, chapter 12, article 1, Arizona Revised Statutes, is
39 amended by adding section 15-1410, to read:

40 15-1410. Credit and noncredit courses

41 A. COURSES OFFERED FOR CREDIT SHALL SATISFY AT LEAST ONE OF THE
42 FOLLOWING PURPOSES AND REQUIREMENTS:

43 1. CREDIT COURSES SHALL SATISFY ONE OR MORE OF THE FOLLOWING PURPOSES:

44 (a) QUALIFY STUDENTS FOR A COMMUNITY COLLEGE CERTIFICATE OR DEGREE.

45 (b) BE ACCEPTABLE FOR TRANSFER TO A REGIONALLY ACCREDITED PUBLIC OR
46 PRIVATE COLLEGE OR UNIVERSITY.

1 (c) PREPARE STUDENTS WITH SKILLS TO SEEK ENTRY LEVEL JOBS IN THE FIELD
2 OF SPECIALIZATION.

3 (d) IMPROVE THE STUDENT'S JOB SKILLS OR PREPARE THE STUDENT FOR
4 PROMOTION IN FIELDS OF EMPLOYMENT.

5 (e) PROVIDE SKILLS NECESSARY FOR SUCCESS IN OTHER COLLEGE COURSES.

6 (f) PROVIDE CONTINUING EDUCATION AND LIFELONG LEARNING.

7 2. A CREDIT COURSE SHALL SATISFY ALL OF THE FOLLOWING REQUIREMENTS:

8 (a) A FORMAL COURSE OUTLINE THAT DEFINES THE OBJECTIVES AND CONTENT
9 OF THE COURSE SHALL BE ON FILE AND AVAILABLE FOR AUDIT.

10 (b) STUDENTS SHALL BE EVALUATED AND GIVEN A GRADE BASED ON THEIR
11 MASTERY OF THE OBJECTIVES AND CONTENT OF THE COURSE.

12 (c) FACULTY TEACHING THE COURSE SHALL MEET THE STANDARDS SET BY THE
13 DISTRICT TO TEACH IN THE SUBJECT AREA OF THE COURSE.

14 (d) THE CREDITS AWARDED FOR COMPLETION OF THE COURSE SHALL BE BASED
15 ON THE EFFORT REQUIRED OF, AND THE COMPETENCIES GAINED BY, THE STUDENTS IN
16 ACCORDANCE WITH POLICIES ADOPTED BY THE DISTRICT GOVERNING BOARD.

17 (e) BEFORE ENROLLMENT IN THE COURSE, STUDENTS SHALL HAVE ACHIEVED
18 PREREQUISITE COMPETENCIES AS DEFINED IN THE SYLLABUS OR APPROVED COURSE
19 GUIDELINES.

20 (f) THE COURSE SHALL HAVE BEEN DEVELOPED USING THE DISTRICT'S FORMAL
21 CURRICULUM REVIEW PROCEDURE.

22 (g) THE COURSE SHALL HAVE AN EVALUATION COMPONENT. THE RESULTS OF
23 THIS EVALUATION SHALL BE USED FOR THE PURPOSES OF FORMATIVE AND SUMMATIVE
24 EVALUATION BY THE INSTITUTION.

25 (h) A DISTRICT BOARD MAY ADOPT POLICIES THAT ALLOW STUDENTS TO RECEIVE
26 CREDIT THROUGH A VARIETY OF OTHER MEANS, INCLUDING NATIONAL STANDARDIZED
27 EXAMINATIONS AND CREDIT BY EVALUATION OR EXAMINATION.

28 B. NONCREDIT COURSES ARE COURSES THAT DO NOT MEET THE CRITERIA
29 ESTABLISHED IN SUBSECTION A. NONCREDIT COURSES SHALL BE THE FINANCIAL
30 RESPONSIBILITY OF THE DISTRICT.

31 Sec. 7. Section 15-1424, Arizona Revised Statutes, is amended to read:
32 15-1424. General powers of state board

33 A. The state board is a body corporate with perpetual succession and
34 shall have the name "state board of directors for community colleges of
35 Arizona".

36 B. The state board may:

- 37 1. Adopt a corporate seal.
38 2. Contract with any person.
39 3. Sue and be sued.

40 C. The state board may hire employees necessary to fulfill the duties
41 of this chapter subject to legislative appropriation or through private
42 donations.

43 D. The state board shall compile and summarize data from the community
44 college districts in this state and prepare annual reports specified by law.
45 THE COMMUNITY COLLEGES SHALL COOPERATE IN PROVIDING TIMELY DATA IN RESPONSE

1 TO REQUESTS FROM THE STATE BOARD PURSUANT TO THIS CHAPTER AND SHALL SUBMIT
2 THE FOLLOWING REPORTS AS PROVIDED BY LAW TO THE STATE BOARD:

3 1. A WORKFORCE DEVELOPMENT PLAN.

4 2. A PRESIDENT OR CHANCELLOR'S REPORT.

5 3. A REPORT ON STUDENTS WHO ARE ENROLLED UNDER THE AGE OF EIGHTEEN.

6 4. AN ARTICULATION REPORT.

7 5. AN ACADEMIC PERFORMANCE REPORT.

8 E. The state board shall facilitate transfer articulation coordination
9 pursuant to section 15-1824.

10 F. The state board shall submit a report for the preceding fiscal year
11 to the governor and the joint legislative budget committee. The state board
12 shall provide a copy of this report to the secretary of state and the
13 director of the Arizona state library, archives and public records. The
14 report shall list the tuition and fees charged by the community college
15 districts in this state.

16 ~~G. The community colleges shall cooperate in providing timely data in~~
17 ~~response to requests from the state board pursuant to this chapter.~~

18 H. G. The state board does not have any mandatory or discretionary
19 authority that is not specifically prescribed to the state board by the
20 legislature pursuant to this chapter.

21 ~~I. A district board shall determine the location within the district~~
22 ~~of a community college and purchase, receive, hold, make and take leases of~~
23 ~~and sell real property for the benefit of this state and for the use of the~~
24 ~~community colleges under its jurisdiction.~~

25 ~~J. A district board may enter into lease or lease-purchase agreements~~
26 ~~for real property, including buildings and improvements to the property.~~

27 ~~K. Lease or lease-purchase agreements authorized by subsection H or~~
28 ~~I of this section shall not create an obligation of payment by the district~~
29 ~~under the terms of the lease or lease-purchase agreement for periods longer~~
30 ~~than fifteen years.~~

31 ~~L. The amount of outstanding indebtedness due to acquisition of real~~
32 ~~property by lease-purchase per community college district shall not exceed~~
33 ~~two million five hundred thousand dollars in any one year and fifteen million~~
34 ~~dollars in the aggregate. A district board may pledge tuitions, fees,~~
35 ~~rentals and other charges to any payments due under lease-purchase~~
36 ~~agreements.~~

37 ~~M. Notwithstanding subsection K of this section, periodic payments and~~
38 ~~any option payments for acquisition of real property by lease-purchase are~~
39 ~~restricted to payment from capital outlay funds.~~

40 ~~N. Districts which acquire real property by lease-purchase shall not~~
41 ~~be entitled to receive funds pursuant to section 15-1463 pertaining to the~~
42 ~~specific real property acquired by lease-purchase.~~

43 ~~O. Notwithstanding any other provision of law, payments on lease or~~
44 ~~lease-purchase agreements entered into pursuant to subsection H or I of this~~
45 ~~section are an obligation of the district within the meaning of the~~

1 ~~constitutional limit against indebtedness set out in article IX, section 8,~~
2 ~~Constitution of Arizona.~~

3 ~~P. If a district acquires real or personal property, whether by~~
4 ~~purchase, exchange, condemnation, gift or otherwise, the district shall pay~~
5 ~~to the county treasurer any taxes on the property that were unpaid as of the~~
6 ~~date of acquisition, including penalties and interest. The lien for unpaid~~
7 ~~delinquent taxes, penalties and interest on property acquired by the~~
8 ~~district.~~

9 ~~1. Is not abated, extinguished, discharged or merged in the title to~~
10 ~~the property.~~

11 ~~2. Is enforceable in the same manner as other delinquent tax liens.~~

12 ~~Q. H. The state board or a district board may accept grants or~~
13 ~~donations of monies from the United States, or from any of its agencies,~~
14 ~~departments or officers, or from any persons, corporations, foundations or~~
15 ~~associations. The state board or a district board shall deposit, pursuant~~
16 ~~to sections 35-146 and 35-147, the monies into a specific fund or account and~~
17 ~~the state board or a district board shall administer the monies in accordance~~
18 ~~with the purpose of the grant or donation with specific rules or restrictions~~
19 ~~as described or stipulated in the grant or donation. In the case of personal~~
20 ~~property granted or donated to or for the benefit of a community college~~
21 ~~district, the state board or a district board shall immediately transfer~~
22 ~~possession and ownership of the property to the designated district. FOR THE~~
23 ~~PURPOSES OF THIS SUBSECTION, "PERSON" INCLUDES AN ASSOCIATION, COMPANY,~~
24 ~~CORPORATION, FIRM, GOVERNMENTAL BODY, ORGANIZATION, PARTNERSHIP OR SOCIETY,~~
25 ~~AS WELL AS A NATURAL PERSON.~~

26 ~~R. I. The state board may establish a program for the exchange of~~
27 ~~students between the community colleges under its jurisdiction and colleges~~
28 ~~and universities located in Sonora, Mexico. Notwithstanding section 15-1425,~~
29 ~~paragraph 5, The program may provide for in-state tuition for up to fifty~~
30 ~~Sonora students at the community colleges under its jurisdiction in exchange~~
31 ~~for similar tuition provisions for up to fifty Arizona students enrolled or~~
32 ~~seeking enrollment in Sonora colleges and universities. The community~~
33 ~~colleges may work in conjunction with the Arizona-Mexico commission in the~~
34 ~~governor's office to coordinate recruitment and admissions activities.~~

35 ~~S. For the purposes of this section, "person" includes an association,~~
36 ~~a company, a corporation, a firm, a governmental body, an organization, a~~
37 ~~partnership or a society, as well as a natural person.~~

38 Sec. 8. Repeal

39 Sections 15-1425 and 15-1429, Arizona Revised Statutes, are repealed.

40 Sec. 9. Section 15-1443, Arizona Revised Statutes, is amended to read:

41 15-1443. Meetings; officers; immunity

42 A. Within twenty days after appointment of the first district board,
43 the county school superintendent, or county school superintendents by joint
44 action where the district consists of more than one county, shall call a
45 meeting of the district board by giving at least ten days' notice by
46 registered or certified mail to each board member. At the meeting the

1 district board shall organize by electing a president and a secretary from
2 among its members and may transact any other business relating to the affairs
3 of the district.

4 B. Following the first election of members, the district board shall
5 meet and organize in January each year and shall hold regular meetings at
6 such time and place as the rules POLICIES of the board provide. Special
7 meetings may be held at the call of the president or upon a call issued in
8 writing signed by a majority of the members of the DISTRICT board.

9 C. Members of the district board are immune from personal liability
10 with respect to all acts done and actions taken in good faith within the
11 scope of their authority during duly constituted regular and special
12 meetings.

13 Sec. 10. Section 15-1444, Arizona Revised Statutes, is amended to
14 read:

15 15-1444. General powers of district governing boards

16 A. Except as otherwise provided, the district board shall:

17 1. Maintain each community college for a period of not less than eight
18 months in each year and, if the funds of the district are sufficient,
19 maintain each community college for a longer period.

20 2. ADOPT POLICIES IN A PUBLIC FORUM TO OFFER PROGRAMS THAT MEET THE
21 EDUCATIONAL NEEDS OF THE POPULATION SERVED BY THE COMMUNITY COLLEGE.

22 ~~2.~~ 3. Enforce the courses of study prescribed by the district board.

23 ~~3.~~ 4. Visit each community college UNDER ITS JURISDICTION and examine
24 carefully into its management, conditions and needs.

25 ~~4.~~ 5. Exclude from each community college all books, publications or
26 papers of a sectarian, partisan or denominational character intended for use
27 as textbooks.

28 ~~5.~~ 6. Appoint and employ a chancellor or chancellors,
29 vice-chancellors, a president or presidents, vice-presidents, deans,
30 professors, instructors, lecturers, fellows and such other officers and
31 employees it deems necessary. The district board may enter into employment
32 contracts with chancellors, vice-chancellors and presidents for a duration
33 of more than one year but not more than five years.

34 ~~6.~~ 7. Determine the salaries of persons it appoints and employs.

35 ~~7.~~ 8. Remove any officer or employee if in its judgment the interests
36 of education in this state require the removal.

37 ~~8.~~ 9. Award degrees, certificates and diplomas upon the completion
38 of courses and curriculum as it deems appropriate.

39 ~~9.~~ 10. Appoint OR EMPLOY, if it deems necessary, police officers who
40 shall have the authority and power of peace officers. The police officers
41 who have received a certificate from the Arizona peace officer standards and
42 training board are eligible for membership in and benefits under either title
43 38, chapter 5, article 2 or the public safety personnel retirement system
44 under title 38, chapter 5, article 4.

45 ~~10.~~ 11. DETERMINE THE LOCATION WITHIN THE DISTRICT OF A COMMUNITY
46 COLLEGE AND PURCHASE, receive, hold, make and take leases of, and sell AND

1 CONVEY REAL OR personal property for the benefit of the community colleges
2 under its jurisdiction.

3 ~~11.~~ 12. Obtain insurance OR BE SELF-INSURED, OR A COMBINATION OF
4 INSURANCE AND SELF-INSURANCE, against loss, to the extent it is determined
5 necessary on community college buildings of the district, ~~whether financed~~
6 ~~in whole or in part by state monies.~~ The local district shall have an
7 insurable interest in the buildings.

8 B. The district board may:

9 1. Administer trusts declared or created for the district and receive
10 by gift or devise and hold in trust or otherwise property wheresoever
11 located, and if not otherwise provided, dispose of the property for the
12 benefit of the district.

13 2. Lease real property, as lessor or as lessee. If a district is the
14 lessee, the lease may contain an option to purchase the property. The
15 district board may adopt policies as are deemed necessary and may delegate
16 in writing to the chancellor or president of the district, or their
17 designees, all or any part of its authority to lease property under this
18 paragraph. A district governing board shall not delegate the authority to
19 execute a lease that exceeds one hundred thousand dollars per year. Any
20 delegation by the district board pursuant to this paragraph may be rescinded
21 in whole or in part at any time by the district board.

22 3. Sue and be sued.

23 4. Contract. The district board may adopt such policies as are deemed
24 necessary and may delegate in writing to the chancellor or president of the
25 district, or their designees, all or any part of its authority to contract
26 under this paragraph. Any delegation of authority under this paragraph may
27 be rescinded by the district board at any time in whole or in part.

28 5. Construct, remodel and repair buildings.

29 6. IN CONJUNCTION WITH OTHER DISTRICTS, ESTABLISH POLICIES FOR
30 PROCUREMENT OF GOODS AND SERVICES.

31 ~~6.~~ 7. Provide a plan or plans for employee benefits which may include
32 optional retirement programs pursuant to section 15-1451, subsection A, which
33 allow for participation in a cafeteria plan that meets the requirements of
34 the United States internal revenue code of 1986.

35 8. ACCEPT GRANTS OR DONATIONS OF MONIES FROM THE UNITED STATES, OR
36 FROM ANY OF ITS AGENCIES, DEPARTMENTS OR OFFICERS, OR FROM ANY PERSONS,
37 CORPORATIONS, FOUNDATIONS OR ASSOCIATIONS. A DISTRICT BOARD SHALL DEPOSIT
38 THE MONIES INTO A SPECIFIC FUND OR ACCOUNT AND A DISTRICT BOARD SHALL
39 ADMINISTER THE MONIES IN ACCORDANCE WITH THE PURPOSE OF THE GRANT OR DONATION
40 WITH SPECIFIC POLICIES OR RESTRICTIONS AS DESCRIBED OR STIPULATED IN THE
41 GRANT OR DONATION. IN THE CASE OF PERSONAL PROPERTY GRANTED OR DONATED TO
42 OR FOR THE BENEFIT OF A COMMUNITY COLLEGE DISTRICT, A DISTRICT BOARD SHALL
43 IMMEDIATELY TRANSFER POSSESSION AND OWNERSHIP OF THE PROPERTY TO THE
44 DESIGNATED DISTRICT.

45 C. IF A DISTRICT ACQUIRES REAL OR PERSONAL PROPERTY, WHETHER BY
46 PURCHASE, EXCHANGE, CONDEMNATION, GIFT OR OTHERWISE, THE DISTRICT SHALL PAY

1 TO THE COUNTY TREASURER ANY TAXES ON THE PROPERTY THAT WERE UNPAID AS OF THE
2 DATE OF ACQUISITION, INCLUDING PENALTIES AND INTEREST. THE LIEN FOR UNPAID
3 DELINQUENT TAXES, PENALTIES AND INTEREST ON PROPERTY ACQUIRED BY THE
4 DISTRICT:

5 1. IS NOT ABATED, EXTINGUISHED, DISCHARGED OR MERGED IN THE TITLE TO
6 THE PROPERTY.

7 2. IS ENFORCEABLE IN THE SAME MANNER AS OTHER DELINQUENT TAX LIENS.

8 C. D. From and after December 31, 1988, in a district whose
9 boundaries encompass a vehicle emissions control area as defined in section
10 49-541 the district board shall require all out of county and out of state
11 students to sign an affidavit at the time of course registration that the
12 student's vehicle meets the requirements of section 49-542. From and after
13 December 31, 1988, the district board on property under its jurisdiction
14 within a vehicle emissions control area shall prohibit the parking of those
15 vehicles which fail to comply with section 49-542.

16 D. E. A community college district and a joint technological
17 education district governing board may enter into agreements for the
18 provision of administrative, operational and educational services and
19 facilities.

20 Sec. 11. Repeal

21 Section 15-1445, Arizona Revised Statutes, is repealed.

22 Sec. 12. Title 15, chapter 12, article 3, Arizona Revised Statutes,
23 is amended by adding a new section 15-1445, to read:

24 15-1445. Administrative powers of district governing boards

25 A DISTRICT BOARD SHALL:

26 1. ADOPT POLICIES FOR THE GOVERNMENT OF THE COMMUNITY COLLEGES UNDER
27 ITS JURISDICTION.

28 2. IN CONJUNCTION WITH OTHER DISTRICT BOARDS, SET STANDARDS FOR THE
29 ESTABLISHMENT, DEVELOPMENT, ADMINISTRATION, OPERATION AND ACCREDITATION OF
30 COMMUNITY COLLEGES IN THE DISTRICT.

31 3. FIX TUITIONS AND GRADUATE THE TUITIONS AND FEES BETWEEN
32 INSTITUTIONS AND BETWEEN RESIDENTS, NONRESIDENTS AND STUDENTS FROM FOREIGN
33 COUNTRIES. THE DISTRICT BOARD MAY WAIVE TUITIONS AND FEES AND GRADUATE
34 TUITIONS AND WAIVERS FOR AN EMPLOYEE OR THE SPOUSE OR DEPENDENT CHILD OF AN
35 EMPLOYEE OF THE DISTRICT, OR FOR A NONRESIDENT STUDENT ENROLLED IN THE
36 DISTRICT IF THE DISTRICT BOARD DETERMINES THE WAIVER IS IN THE BEST INTEREST
37 OF THIS STATE AND THE STUDENT.

38 4. IN CONJUNCTION WITH OTHER DISTRICT BOARDS, SUBMIT TO THE ECONOMIC
39 ESTIMATES COMMISSION BEFORE JANUARY 10 OF EACH YEAR THE ESTIMATED NUMBER OF
40 FULL-TIME EQUIVALENT STUDENTS FOR THE DISTRICT AS PRESCRIBED IN SECTION
41 15-1466.01.

42 5. ESTABLISH CURRICULUMS AND DESIGNATE COURSES THAT IN ITS JUDGMENT
43 WILL BEST SERVE THE INTERESTS OF THIS STATE.

44 6. DETERMINE ACADEMIC CLASSES THAT QUALIFY AS OPEN ENTRY, OPEN EXIT
45 CLASSES AND PRESCRIBE POLICIES FOR THE OPERATION OF OPEN ENTRY, OPEN EXIT
46 CLASSES.

1 7. IN CONJUNCTION WITH OTHER DISTRICT BOARDS AND THE STATE BOARD FOR
2 VOCATIONAL AND TECHNOLOGICAL EDUCATION, REVIEW AND ADOPT, WITHIN THE SCOPE
3 OF THE STATUTORY DEFINITIONS OF VOCATIONAL AND TECHNOLOGICAL EDUCATION,
4 PROGRAM AND STAFF STANDARDS WITH MODIFICATIONS AS NECESSARY FOR COURSES
5 TAUGHT IN COMMUNITY COLLEGES. THE DISTRICT BOARD SHALL BASE THE STANDARDS
6 ON VOCATIONAL AND TECHNOLOGICAL COMPETENCE.

7 8. IN CONJUNCTION WITH OTHER DISTRICT BOARDS, ESTABLISH QUALIFICATIONS
8 OF THE INSTRUCTIONAL STAFF THAT, AT A MINIMUM, SHALL BE EQUAL TO THOSE
9 REQUIRED TO MEET ACCREDITATION GUIDELINES AND ESTABLISH STANDARDS OF
10 VOCATIONAL AND TECHNOLOGICAL COMPETENCE REQUIRED TO INSTRUCT IN OCCUPATIONAL
11 AS WELL AS ACADEMIC SUBJECTS.

12 9. IN CONJUNCTION WITH OTHER DISTRICT BOARDS, PRESCRIBE GUIDELINES
13 PROVIDING FOR THE TRANSFERABILITY BETWEEN COMMUNITY COLLEGE DISTRICT
14 VOCATIONAL AND TECHNOLOGICAL EDUCATION PROGRAMS AND IN CONJUNCTION WITH THE
15 STATE BOARD FOR VOCATIONAL AND TECHNOLOGICAL EDUCATION PRESCRIBE GUIDELINES
16 FOR THE INTERRELATIONSHIP OF SECONDARY PROGRAMS AND POSTSECONDARY PROGRAMS.

17 10. IN CONJUNCTION WITH OTHER DISTRICT BOARDS, PRESCRIBE THE MANNER IN
18 WHICH THE SELF-EVALUATION OF VOCATIONAL AND TECHNOLOGICAL EDUCATION PROGRAMS
19 IS CONDUCTED AS PROVIDED IN SECTION 15-1452.

20 11. IF REQUESTED BY THE STATE BOARD FOR VOCATIONAL AND TECHNOLOGICAL
21 EDUCATION, ASSIST IN THE PREPARATION, PUBLICATION AND DISTRIBUTION OF AN
22 ANNUAL STATE PLAN AND A COMPREHENSIVE FIVE YEAR STATE PLAN.

23 12. IN CONJUNCTION WITH OTHER DISTRICT BOARDS AND THE STATE BOARD FOR
24 VOCATIONAL AND TECHNOLOGICAL EDUCATION, DEVELOP A PROCESS TO DETERMINE
25 PROGRAM FUNDING PRIORITIES FOR STATE AID PURPOSES. EACH DISTRICT BOARD SHALL
26 SUBMIT STATE AID RECOMMENDATIONS TO THE LEGISLATURE. THE RECOMMENDATIONS
27 SHALL BE BASED ON THE PROCESS AND ON EXISTING COST STUDIES OF VOCATIONAL AND
28 TECHNOLOGICAL EDUCATION IN THIS STATE.

29 13. IN CONJUNCTION WITH OTHER DISTRICT BOARDS, PRESCRIBE QUALIFICATIONS
30 FOR ADMISSION TO COMMUNITY COLLEGES FOR HONORABLY DISCHARGED VETERANS WHO
31 SERVED ON ACTIVE DUTY IN THE ARMED FORCES FOR A MINIMUM OF ONE YEAR AND WHO
32 WERE PREVIOUSLY ENROLLED AT A COMMUNITY COLLEGE OR UNIVERSITY IN THIS STATE.
33 FOR THE PURPOSE OF DETERMINING THE QUALIFICATIONS, THE DISTRICT BOARD MAY NOT
34 CONSIDER PRIOR FAILING GRADES RECEIVED BY THE VETERAN AT A COMMUNITY COLLEGE
35 OR UNIVERSITY IN THIS STATE.

36 14. REQUIRE THE PUBLISHER OF EACH LITERARY AND NONLITERARY TEXTBOOK
37 USED IN THE COMMUNITY COLLEGES OF THE DISTRICT TO FURNISH COMPUTER SOFTWARE
38 IN A STANDARDIZED FORMAT, WHEN SOFTWARE BECOMES AVAILABLE FOR NONLITERARY
39 TEXTBOOKS, TO THE DISTRICT BOARD FROM WHICH BRAILLE VERSIONS OF THE TEXTBOOK
40 MAY BE PRODUCED.

41 15. IDENTIFY STUDENTS SIMULTANEOUSLY ENROLLED IN A COURSE FOR BOTH HIGH
42 SCHOOL AND COLLEGE CREDIT BY USING THE SAME STUDENT LEVEL DATA ELEMENT
43 REQUIRED BY SECTION 15-1042, SUBSECTION A. THE AUDITOR GENERAL SHALL HAVE
44 ACCESS TO THIS INFORMATION WHEN CERTIFYING THE FULL-TIME EQUIVALENT STUDENT
45 ENROLLMENT PURSUANT TO SECTION 15-1466.01, PARAGRAPH 4.

1 Sec. 13. Title 15, chapter 12, article 3, Arizona Revised Statutes,
2 is amended by adding section 15-1446, to read:

3 15-1446. Lease-purchase agreements

4 A. A DISTRICT BOARD MAY ENTER INTO LEASE OR LEASE-PURCHASE AGREEMENTS
5 FOR REAL PROPERTY, INCLUDING BUILDINGS AND IMPROVEMENTS TO THE PROPERTY.

6 B. LEASE OR LEASE-PURCHASE AGREEMENTS AUTHORIZED BY SUBSECTION A OF
7 THIS SECTION OR SECTION 15-1444, SUBSECTION A, PARAGRAPH 11 SHALL NOT CREATE
8 AN OBLIGATION OF PAYMENT BY THE DISTRICT UNDER THE TERMS OF THE LEASE OR
9 LEASE-PURCHASE AGREEMENT FOR PERIODS LONGER THAN FIFTEEN YEARS.

10 C. THE AMOUNT OF OUTSTANDING INDEBTEDNESS DUE TO ACQUISITION OF REAL
11 PROPERTY BY LEASE-PURCHASE FOR EACH DISTRICT SHALL NOT EXCEED TWO MILLION
12 FIVE HUNDRED THOUSAND DOLLARS IN ANY ONE YEAR AND FIFTEEN MILLION DOLLARS IN
13 THE AGGREGATE. A DISTRICT BOARD MAY PLEDGE TUITIONS, FEES, RENTALS AND OTHER
14 CHARGES TO ANY PAYMENTS DUE UNDER LEASE-PURCHASE AGREEMENTS.

15 D. NOTWITHSTANDING SUBSECTION C OF THIS SECTION, PERIODIC PAYMENTS AND
16 ANY OPTION PAYMENTS FOR ACQUISITION OF REAL PROPERTY BY LEASE-PURCHASE ARE
17 RESTRICTED TO PAYMENT FROM CAPITAL OUTLAY FUNDS.

18 E. DISTRICTS THAT ACQUIRE REAL PROPERTY BY LEASE-PURCHASE ARE NOT
19 ENTITLED TO RECEIVE MONIES PURSUANT TO SECTION 15-1463 PERTAINING TO THE
20 SPECIFIC REAL PROPERTY ACQUIRED BY LEASE-PURCHASE.

21 F. NOTWITHSTANDING ANY OTHER LAW, PAYMENTS ON LEASE OR LEASE-PURCHASE
22 AGREEMENTS ENTERED INTO PURSUANT TO SUBSECTION A OF THIS SECTION OR SECTION
23 15-1444, SUBSECTION A, PARAGRAPH 11 ARE OBLIGATIONS OF THE DISTRICT WITHIN
24 THE MEANING OF THE CONSTITUTIONAL LIMIT AGAINST INDEBTEDNESS SET OUT IN
25 ARTICLE IX, SECTION 8, CONSTITUTION OF ARIZONA.

26 Sec. 14. Repeal

27 Section 15-1447, Arizona Revised Statutes, is repealed.

28 Sec. 15. Title 15, chapter 12, article 3, Arizona Revised Statutes,
29 is amended by adding a new section 15-1447, to read:

30 15-1447. Reports by president or chancellor

31 THE PRESIDENT OR CHANCELLOR OF EVERY DISTRICT, AT THE CLOSE OF EACH
32 FISCAL YEAR, BEFORE AND AS A PREREQUISITE TO RECEIVING THE PRESIDENT OR
33 CHANCELLOR'S LAST MONTH'S SALARY, SHALL MAKE AND SUBSCRIBE UNDER OATH A
34 COMPLETE REPORT OF THE DISTRICT AND EACH COLLEGE OR CAMPUS WITHIN THE
35 DISTRICT FOR THE ENTIRE SCHOOL YEAR AND SHALL DELIVER A COPY OF THE REPORT
36 TO THE DISTRICT BOARD. THE REPORT SHALL SHOW THE TOTAL NUMBER OF FULL-TIME
37 EQUIVALENT STUDENTS ENROLLED DURING THE YEAR, THE ACTUAL TOTAL NUMBER OF
38 STUDENTS, THE NUMBER OF TEACHERS REGULARLY EMPLOYED AND THE TOTAL NUMBER OF
39 STUDENTS NOT RESIDING WITHIN THE DISTRICT.

40 Sec. 16. Section 15-1448, Arizona Revised Statutes, is amended to
41 read:

42 15-1448. Employment of legal counsel; opinions of counsel

43 A. If a ~~community college~~ district lies in two or more counties, the
44 county attorney of the largest county in which the ~~community college~~ district
45 lies as determined by the last federal decennial census is the attorney for
46 the ~~community college~~ district.

1 B. The A district board may employ an attorney to represent the
2 district if the county attorney consents. The district board shall state in
3 writing the purpose for which it employs an attorney.

4 C. The A district board may employ an attorney without the consent of
5 the county attorney if it deems it advisable.

6 D. Compensation for an attorney whom the district board employs as
7 provided in subsections B and C of this section is payable from district
8 monies.

9 E. If the A district board employs an attorney without the consent of
10 the county attorney, the county attorney has no duty to represent the
11 district with regard to any matter for which the attorney was employed and
12 is not responsible to the district for any exercise of, or failure to
13 exercise, professional judgment by the attorney in his representation of the
14 district.

15 F. The county attorney is not required to assume the duty to represent
16 the district on a matter for which the district board employs an attorney
17 without the consent of the county attorney.

18 G. An attorney employed pursuant to subsection A- B OR C of this
19 section shall represent the district with the powers of and the duties
20 otherwise performed by the county attorney pursuant to section 11-532,
21 subsection A, paragraph 11.

22 H. Any county attorney who issues a legal opinion to a community
23 college district shall promptly transmit a copy of the opinion to the
24 attorney general who shall concur, revise or decline to review the opinion
25 of the county attorney. If the attorney general does not concur, revise, or
26 decline to review the county attorney's opinion within sixty days from its
27 receipt, the opinion shall be deemed affirmed. If the attorney general
28 revises the opinion, the opinion of the attorney general shall prevail.

29 Sec. 17. Section 15-1449, Arizona Revised Statutes, is amended to
30 read:

31 15-1449. Control of vehicles and nonpedestrian devices on
32 community college property by district board;
33 sanctions; compliance with emissions inspection;
34 definition

35 A. The district board may adopt rules POLICIES for the control of
36 vehicles and nonpedestrian devices on property of the institutions under the
37 district board's jurisdiction with respect to the following only:

- 38 1. Maximum speed of vehicles and nonpedestrian devices.
- 39 2. Direction of travel.
- 40 3. Authorized hours of travel.
- 41 4. Required stops in traffic.
- 42 5. Place, method and time of parking.
- 43 6. Nonparking areas and restricted areas.
- 44 7. Prohibition of parking in vehicle emissions control areas as
45 defined in section 49-541 of those vehicles which fail to comply with section
46 49-542.

1 8. Designation of special parking areas for students, faculty, staff
2 and the general public.

3 B. The district board may prescribe and collect reasonable fees for
4 specially designated parking areas. The district board shall cause signs and
5 notices to be posted on the property for the regulation of vehicles and
6 nonpedestrian devices.

7 C. The ~~rules~~ POLICIES adopted by the district board pursuant to
8 subsection A of this section shall be enforced administratively under
9 procedures approved by the district board for each institution under its
10 jurisdiction. As to students, faculty and staff, these procedures may
11 involve both student and faculty adjudicating bodies if all procedures give
12 the individual notice and an opportunity to be heard concerning the alleged
13 infractions and any sanction to be imposed on the individual. Administrative
14 and disciplinary sanctions may be imposed on students, faculty and staff for
15 a violation of the ~~rules~~ POLICIES including a reasonable monetary penalty,
16 impoundment, regular institutional discipline, withdrawal or suspension of
17 campus parking privileges, encumbrances of records or grades, or both, and
18 oral or written reprimand. Habitual or flagrant disregard of ~~rules~~ POLICIES
19 is a ground for suspension or expulsion from the institution for a student
20 and may be taken into consideration as to faculty and staff in regard to
21 amount of salary and continuation of employment.

22 D. Members of the general public who park their vehicles in an
23 unauthorized manner on the property of an institution under the jurisdiction
24 of the district board shall be warned concerning their unauthorized parking,
25 and if they continue to or habitually park in an unauthorized manner, the
26 vehicles parked in an unauthorized manner may be impounded by the institution
27 and a reasonable fee may be exacted for the cost of impoundment and storage.

28 E. Members of the general public who violate a ~~rule~~ POLICY adopted by
29 the district board pursuant to subsection A of this section regarding the use
30 of nonpedestrian devices on the property of an institution under the
31 jurisdiction of the district board shall be warned of a violation. A
32 nonpedestrian device may be impounded by the institution, and a reasonable
33 fee may be exacted for the cost of impoundment and storage.

34 F. Except as provided in section 41-1092.08, subsection H, a person
35 who has received a final administrative ruling concerning a sanction imposed
36 on the person as a result of a violation of a ~~rule~~ POLICY adopted pursuant
37 to subsection A of this section has the right to have that ruling reviewed
38 by the superior court in the county in which the institution involved is
39 situated pursuant to title 12, chapter 7, article 6.

40 G. An institution that is under the jurisdiction of the district board
41 and that is located in a vehicle emissions control area as defined in section
42 49-541 shall prohibit the issuance of annual permits to park on property
43 under its jurisdiction until the applicant submits an affidavit or shows
44 proof that the applicant's vehicle meets the requirements of section 49-542.

45 H. In this section, "nonpedestrian devices" includes bicycles,
46 tricycles, unicycles, skateboards, roller skates and equines.

1 Sec. 18. Title 15, chapter 12, article 3, Arizona Revised Statutes,
2 is amended by adding section 15-1452, to read:

3 15-1452. Evaluation of vocational and technological education
4 programs

5 A DISTRICT BOARD SHALL PROVIDE FOR THE EVALUATION OF VOCATIONAL AND
6 TECHNOLOGICAL EDUCATION PROGRAMS ONCE EVERY FIVE YEARS. THE ASSESSMENT SHALL
7 BE CONDUCTED IN COOPERATION WITH AND WITH ASSISTANCE FROM BUSINESS, INDUSTRY
8 AND LABOR REPRESENTATIVES. THE DISTRICT BOARD MAY CONDUCT A SELF-EVALUATION.

9 Sec. 19. Section 15-1461, Arizona Revised Statutes, is amended to
10 read:

11 15-1461. District budget; annual estimate; computation; notice;
12 hearing; adoption

13 A. Not later than June 5, each ~~community college~~ district established
14 pursuant to this chapter, and any other community college established prior
15 to the enactment of this chapter, shall prepare a proposed budget for the
16 budget year on a form which the auditor general prescribes to be transmitted
17 to the ~~state board with a copy to the district board~~. The proposed budget
18 shall be accompanied by an estimate of the amount of funds needed for the
19 ensuing year as determined by the district based on the proposed budget
20 prepared by it.

21 B. The district shall establish and set forth in the proposed budget
22 the per capita expenditure per full-time equivalent student, which shall be
23 the total operational expenses.

24 C. The district shall establish and set forth in the proposed budget
25 the per capita expenditure per full-time equivalent student, which shall be
26 the total capital outlay expenses.

27 D. The number of basic full-time equivalent students shall be computed
28 by dividing the total community college credit units by fifteen per semester
29 and shall be based on regular day enrollment. The number of additional
30 short-term full-time equivalent students shall be computed by dividing the
31 total community college credit units from additional short-term classes by
32 thirty. The number of skill center full-time equivalent students shall be
33 computed by dividing the total number of clock hours in approved vocational
34 training programs by six hundred forty.

35 E. The governing board of each district shall prepare a notice fixing
36 a time not later than June 20 and designating a public place within each
37 district at which a public hearing and special board meeting shall be held.
38 The governing board shall present the proposed budget for consideration of
39 the residents and the taxpayers of the district at such meeting.

40 F. The governing board of each district shall publish a copy of the
41 proposed budget prior to the meeting and, in addition, a notice of the public
42 hearing and special board meeting not later than fifteen days prior to the
43 meeting. The proposed budget shall contain but need not be limited to the
44 following information:

45 1. The estimated cost of all operational, capital outlay and debt
46 service expenses.

1 2. The percentage of increase or decrease in each budget category as
2 compared to each category of the budget for the current year.

3 3. The total amount of revenues by source that was necessary to meet
4 the district's budget for the current year.

5 4. The total amount of revenues by source that will be necessary to
6 meet the proposed district budget.

7 5. The total property tax levy of the district for the current year.

8 6. The levy for primary property taxes and the levy for secondary
9 property taxes for the current year.

10 7. The primary property tax rate and secondary property tax rate for
11 the current year.

12 8. The estimated amount of total property tax levies for the district
13 and the primary property tax and secondary property tax components thereof
14 necessary for the budget year.

15 9. The maximum amount of primary property tax dollars which the
16 district is permitted to levy pursuant to title 42, chapter 17, article 2 for
17 the budget year.

18 10. The amount of secondary property tax dollars which the district
19 will levy for the budget year.

20 11. The amount of monies received from primary property taxation in the
21 previous fiscal year in excess of the maximum allowable amount as calculated
22 pursuant to title 42, chapter 17, article 2.

23 G. The governing board shall publish the proposed budget and the
24 notice of the public hearing and special board meeting a second time not
25 later than five days prior to the meeting. Publication shall be made in a
26 newspaper of general circulation within the district. The cost of
27 publication shall be a charge against the district. ~~The publisher's~~
28 ~~affidavit of publication shall be filed by the governing board with the state~~
29 ~~board within thirty days after publication.~~ If a truth in taxation notice
30 and hearing is required under section 15-1461.01, the district may combine
31 the notice and hearing under this section with the truth in taxation notice
32 and hearing.

33 H. If the district fails to publish the proposed budget, notice and
34 statements required by subsection F of this section, the board of supervisors
35 shall levy on the property in the district the lesser of the amount of
36 primary property taxes which were levied for the district in the current year
37 or the amount which would be produced by the primary property tax rate which
38 was levied for the district in the current year.

39 I. At the time and place fixed in the notice, the members of the
40 governing board shall hold the public hearing and present the proposed budget
41 to the persons attending the hearing. Upon request of any person, the
42 governing board shall explain the budget and any resident or taxpayer of the
43 district may protest the inclusion of any item in the proposed budget.

44 J. Immediately following the public hearing the chairman shall call
45 to order the special board meeting for the purpose of adopting the budget.
46 The governing board shall adopt the budget making deductions from the budget

1 as it sees fit but making no additions to the budget and shall enter the
2 budget as adopted in its minutes. The governing board shall not adopt the
3 budget if the property tax requirements of the budget, excluding amounts
4 budgeted and levied for secondary property taxes, exceed the amounts
5 authorized pursuant to title 42, chapter 17, article 2.

6 Sec. 20. Section 15-1463, Arizona Revised Statutes, is amended to
7 read:

8 15-1463. State contribution for capital outlay for initial or
9 additional campus

10 A. This state, by legislative appropriation, shall pay to the district
11 a sum equal to fifty per cent of the total cost for capital outlay for an
12 initial campus in a newly formed district or in a county entering into an
13 intergovernmental agreement for providing extension courses pursuant to
14 section 15-1470, not to exceed one million dollars.

15 B. If a district board in an existing district determines the need for
16 an additional campus or campuses, it shall submit a request to the joint
17 legislative budget committee for review. This state, by legislative
18 appropriation, shall pay a sum equal to fifty per cent of the total cost for
19 capital outlay for each approved campus within the district, but not to
20 exceed one million dollars at any one campus, including the purchase,
21 erection, remodeling or completion of buildings and the purchase of equipment
22 and facilities for educational or auxiliary purposes of the community
23 college, excluding the cost of any land granted to the community college
24 district and dormitories erected for the use of students or faculty members.

25 Sec. 21. Section 15-1466, Arizona Revised Statutes, is amended to
26 read:

27 15-1466. State aid; eligibility; limitations

28 A. Subject to legislative appropriation, the legislature shall
29 determine and appropriate the amount of state aid each fiscal year for any
30 district possessing the qualifications as prescribed in this chapter.

31 B. The state shall determine the amount of state aid, as prescribed
32 in subsection F of this section, appropriated to each district for the fiscal
33 year prior to the fiscal year for which the state aid is being calculated.

34 C. The state shall adjust the amount of state aid appropriated to each
35 district as determined in subsection B of this section by the growth rate
36 referenced by section 15-901, subsection B, paragraph 2. This amount shall
37 be appropriated to the district except as provided in subsection D of this
38 section.

39 D. In addition to the state aid appropriated in subsection C of this
40 section, each district qualified under this chapter shall have its state aid
41 adjusted in an amount that reflects the growth in the full-time equivalent
42 student count of the district calculated as follows:

43 1. Calculate the growth in the actual, audited full-time equivalent
44 student count between the second and third most recent fiscal years prior to
45 the fiscal year for which the state aid is being calculated for each
46 district.

2. Calculate the average appropriation per full-time equivalent student for all districts by dividing the amount determined in subsection B of this section by the actual, audited full-time equivalent student count for all districts in the most recent fiscal year.

3. Multiply the amount calculated in paragraph 1 of this subsection by the average appropriation calculated in paragraph 2 of this subsection. This amount shall be appropriated to the district for growth.

E. State aid appropriated to each district shall be allocated and paid in accordance with subsection C of this section before any funding is allocated and paid in accordance with subsection D of this section.

F. The total amount appropriated to each district each fiscal year in accordance with subsections C and D of this section shall serve as the amount of state aid to be adjusted in the next fiscal year.

G. To be eligible for state aid, a district shall:

1. Be equipped with suitable buildings, equipment and campus.

2. Have three hundred twenty full-time equivalent students attending in the district.

3. Have complied with all of the requirements of the district board including budgets and curriculum.

H. Notwithstanding subsection E of this section, the legislature may allocate funding for growth in the full-time equivalent student count prior to or in combination with funding of the growth rate.

1. The total amount of state monies that may be spent in any fiscal year by a ~~community college~~ district for operating state aid shall not exceed the amount appropriated or authorized by section 35-173 for that purpose. Notwithstanding section 15-1444, this section shall not be construed to impose a duty on an officer, agent or employee of this state to discharge a responsibility or to create any right in a person or group if the discharge or right would require an expenditure of state monies in excess of the expenditure authorized by legislative appropriation for that specific purpose, including any duties prescribed in an employment contract entered into pursuant to section 15-1444, subsection A, paragraph 5-6.

J. In addition to the formula to determine the state aid appropriations prescribed in this section, the state may pay additional amounts for state aid to a ~~community college~~ district based on requests included in the district's budget request.

K. THIS SECTION DOES NOT ENTITLE A COMMUNITY COLLEGE OPERATED BY A QUALIFIED INDIAN TRIBE TO STATE AID FOR COMMUNITY COLLEGES PURSUANT TO THIS CHAPTER.

Sec. 22. Section 15-1466.01, Arizona Revised Statutes, is amended to read:

15-1466.01. Calculation of full-time equivalent student enrollment

In determining state aid under sections 15-1464 and 15-1466 the number of full-time equivalent students shall be calculated in the following manner:

1 1. For the basic actual full-time equivalent student enrollment, add
2 the number of full-time equivalent students enrolled as of forty-five days
3 after classes begin in the fall semester to the number of full-time
4 equivalent students enrolled as of forty-five days after classes begin in the
5 spring semester, not including additional short-term classes, and divide the
6 sum by two.

7 2. For the additional short-term and open entry, open exit full-time
8 equivalent student enrollments:

9 (a) Determine the total number of credit units for students enrolled
10 in additional short-term and open entry, open exit classes for the fiscal
11 year.

12 (b) Determine the total number of credit units for students who have
13 completed the additional short-term and open entry, open exit classes for the
14 fiscal year. Any student who has not completed the class by June 30 of each
15 fiscal year shall not be eligible to be counted for state aid purposes until
16 the following year.

17 (c) Add the amounts in subdivisions (a) and (b).

18 (d) Divide the amount determined in subdivision (c) by two.

19 (e) Divide the quotient obtained in subdivision (d) by thirty.

20 (f) The result in subdivision (e) is the additional short-term and
21 open entry, open exit full-time equivalent student enrollments for the fiscal
22 year.

23 3. For the skill center and adult basic education courses full-time
24 equivalent student enrollment, divide by six hundred forty the total class
25 attended clock hours of persons who complete vocational training. Any
26 student who does not complete vocational training programs by June 30 of each
27 fiscal year shall not be eligible to be counted for state aid purposes until
28 the following year.

29 4. The total of basic actual, additional short-term and open entry,
30 open exit and skill center full-time equivalent student enrollment shall be
31 the basis of providing state aid. ~~The basic actual full-time equivalent~~
32 ~~student enrollment claim of each district shall be certified by the auditor~~
33 ~~general immediately following the completion of the forty-fifth day of the~~
34 ~~second semester.~~ Beginning with the audit for the year ending June 30, 2003,
35 the auditor general shall certify AUDIT separately any full-time equivalent
36 student enrollment where a student is enrolled in a course for both high
37 school and college credit simultaneously, except for credit received at a
38 private college or a college owned, operated or chartered by an Indian tribe,
39 taking into consideration any relevant law, regulation or rule. The
40 full-time equivalent student enrollment ~~claim of~~ REPORTED BY each district
41 for all BASIC ACTUAL, additional short-term classes, AND open entry, open
42 exit classes and skill center vocational training programs AND ADULT BASIC
43 EDUCATION COURSES shall be certified AUDITED annually by the auditor general.

1 Sec. 23. Title 15, chapter 12, article 4, Arizona Revised Statutes,
2 is amended by adding section 15-1466.02, to read:

3 15-1466.02. Record keeping requirements for full-time
4 equivalent student enrollment

5 A. ON OR BEFORE JULY 21 EACH YEAR, EACH COMMUNITY COLLEGE DISTRICT
6 SHALL:

7 1. PROVIDE A CERTIFIED REPORT TO THE AUDITOR GENERAL OF THE NUMBER OF
8 FULL-TIME EQUIVALENT STUDENTS CALCULATED BY THE DISTRICT PURSUANT TO SECTION
9 15-1466.01.

10 2. SEPARATELY CALCULATE AND REPORT TO THE AUDITOR GENERAL ANY
11 FULL-TIME EQUIVALENT STUDENT ENROLLMENT WHERE A STUDENT IS ENROLLED IN A
12 COURSE FOR BOTH HIGH SCHOOL AND COLLEGE CREDIT SIMULTANEOUSLY.

13 B. EACH COMMUNITY COLLEGE DISTRICT SHALL SUBMIT TO THE AUDITOR GENERAL
14 A SUMMARY OF ITS FULL-TIME EQUIVALENT STUDENT ENROLLMENT ACCOUNTING POLICIES
15 AND PROCEDURES, COMPILATION PROCEDURES AND SOURCE RECORDS USED FOR
16 CALCULATING FULL-TIME EQUIVALENT STUDENT ENROLLMENT.

17 C. BASIC ACTUAL FULL-TIME EQUIVALENT STUDENT ENROLLMENT SHALL BE
18 COUNTED ON THE FORTY-FIFTH DAY AFTER THE BASIC ACTUAL FULL-TIME EQUIVALENT
19 STUDENT ENROLLMENT CLASSES BEGIN FOR THE FALL AND SPRING SEMESTERS, AS
20 PUBLISHED IN THE COLLEGE CATALOGS. CLASS ROSTERS THAT REFLECT ENROLLMENT AS
21 OF THE FORTY-FIFTH DAY SHALL BE PROVIDED BY THE REGISTRAR'S OFFICE TO EACH
22 PROFESSOR OR INSTRUCTOR FOR EVERY CLASS SECTION. THE CLASS ROSTER SHALL
23 INDICATE THE COURSE NUMBER, COURSE TITLE, TIME, INSTRUCTOR NAME AND STUDENTS
24 ENROLLED. EACH PROFESSOR OR INSTRUCTOR IS REQUIRED TO REVIEW THE CLASS
25 ROSTER AND MAKE ADDITIONS OR DELETIONS AS NECESSARY. ON THE FORTY-FIFTH DAY
26 CLASS ROSTERS, EACH PROFESSOR OR INSTRUCTOR SHALL INDICATE AS WITHDRAWN EACH
27 STUDENT WHO HAS NOT BEEN ATTENDING CLASS, EVEN IF THE STUDENT HAS NOT
28 FORMALLY WITHDRAWN FROM THE COURSE, AND THAT STUDENT SHALL NOT BE COUNTED FOR
29 STATE AID PURPOSES. THE OFFICIAL FORTY-FIFTH DAY ROSTERS SHALL INCLUDE A
30 MANUAL SIGNATURE AND DATE OR AN ELECTRONIC AUTHORIZATION AND DATE BY THE
31 PROFESSOR OR INSTRUCTOR AND SHALL INCLUDE THE FOLLOWING CERTIFICATION:

32 I HEREBY CERTIFY THAT THE INFORMATION CONTAINED IN THIS
33 CLASS ROSTER ACCURATELY REFLECTS THOSE STUDENTS WHO ARE ENROLLED
34 AND PARTICIPATING.

35 STUDENTS WHO HAVE WITHDRAWN OR WHO HAVE BEEN WITHDRAWN FROM CLASSES AS OF THE
36 FORTY-FIFTH DAY SHALL NOT BE COUNTED FOR STATE AID PURPOSES. A RECORD SHALL
37 BE MAINTAINED THAT IDENTIFIES STUDENT WITHDRAWALS BY DATE OF WITHDRAWAL, AS
38 OF THE FORTY-FIFTH DAY AND AFTER THE FORTY-FIFTH DAY FOR THE ENTIRE SEMESTER.

39 D. ADDITIONAL SHORT-TERM AND OPEN ENTRY, OPEN EXIT FULL-TIME
40 EQUIVALENT STUDENT ENROLLMENT MUST BE COUNTED AS OF JUNE 30 OF EACH YEAR.
41 REGISTRATION RECORDS SHALL BE MAINTAINED TO SUPPORT THE NUMBER OF CREDIT
42 HOURS FOR ADDITIONAL SHORT-TERM AND OPEN ENTRY, OPEN EXIT CLASSES IN WHICH
43 STUDENTS ARE ENROLLED DURING THE FISCAL YEAR. FINAL GRADE ROSTERS SHALL BE
44 PREPARED THAT PRESENT INITIAL ENROLLEES, THOSE STUDENTS WHO WITHDREW FROM THE
45 CLASS AND THOSE STUDENTS WHO COMPLETED THE CLASS. THE FINAL GRADE ROSTERS
46 SHALL INCLUDE A MANUAL SIGNATURE OR ELECTRONIC AUTHORIZATION BY THE PROFESSOR

1 OR INSTRUCTOR AND SHALL BE USED TO SUPPORT THE NUMBER OF CREDIT HOURS CLAIMED
2 FOR FULL-TIME EQUIVALENT STUDENT ENROLLMENT. FOR BOTH ADDITIONAL SHORT-TERM
3 AND OPEN ENTRY, OPEN EXIT CLASSES, ONLY STUDENTS WHO HAVE RECEIVED A GRADE
4 BY JUNE 30 MAY BE COUNTED AS COMPLETED FOR STATE AID PURPOSES AND STUDENTS
5 WITH A GRADE OF INCOMPLETE SHALL NOT BE COUNTED.

6 E. SKILL CENTER AND ADULT BASIC EDUCATION FULL-TIME EQUIVALENT STUDENT
7 ENROLLMENT RECORDS SHALL BE MAINTAINED TO SUPPORT THE ACTUAL CLOCK HOURS
8 ATTENDED BY STUDENTS IN SKILL CENTER AND ADULT BASIC EDUCATION COURSES.

9 F. THOSE STUDENTS WHO ARE SIMULTANEOUSLY ENROLLED IN A COURSE FOR BOTH
10 HIGH SCHOOL AND COLLEGE CREDIT AND THE COURSES, INCLUDING SECTION NUMBERS,
11 THAT THE STUDENTS ATTEND SHALL BE SPECIFICALLY IDENTIFIED IN THE DISTRICT'S
12 FULL-TIME EQUIVALENT STUDENT ENROLLMENT RECORDS.

13 G. THE COMMUNITY COLLEGE DISTRICT'S RECORDS USED TO CALCULATE
14 FULL-TIME EQUIVALENT STUDENT ENROLLMENT COUNTS SHALL BE PROVIDED TO THE
15 AUDITOR GENERAL IN AN ELECTRONIC FORMAT PRESCRIBED BY THE AUDITOR GENERAL.

16 Sec. 24. Section 15-1467, Arizona Revised Statutes, is amended to
17 read:

18 15-1467. State aid appropriations; disbursement procedure;
19 district fund

20 A. Appropriations for state aid to ~~community colleges~~ DISTRICTS shall
21 be distributed to each community college district in accordance with section
22 15-1466.

23 B. On July 15, October 15, January 15 and April 15, ~~a district board~~
24 EACH DISTRICT shall present to the department of administration a claim for
25 one-fourth of the annual amount appropriated to the district. The department
26 of administration shall draw a warrant in payment of the claim and transmit
27 the warrant to the state treasurer who shall disburse the funds to each
28 district for the support and maintenance of the district, to be expended as
29 provided by law. If no community college exists, the department shall
30 establish a fund for new future ~~community college~~ districts to be disbursed
31 as needed.

32 C. Notwithstanding subsection B of this section, a ~~community college~~
33 district may request the state treasurer to disburse the monies to the local
34 government investment pool for deposit into the district's account as
35 established in section 35-326.

36 Sec. 25. Section 15-1468, Arizona Revised Statutes, is amended to
37 read:

38 15-1468. Equalization aid for community college districts

39 A. Subject to legislative appropriation, any district that ~~by virtue~~
40 ~~of section 15-1402 is a part of the state community college system but that~~
41 has less than the amount of primary assessed valuation prescribed in section
42 15-1402 shall be paid by this state an amount equal to the following:

43 1. ~~Determine~~ The difference between the prior year's actual primary
44 assessed valuation of the district and the amount of primary assessed
45 valuation prescribed in section 15-1402.

1 2. Determine The actual prior year's primary property tax rate for the
2 district.

3 3. Multiply The difference determined in paragraph 1 of ~~this~~
4 subsection MULTIPLIED by the lesser of the tax rate determined in paragraph
5 2 of ~~this subsection~~ or one dollar and thirty-seven cents.

6 B. The equalization aid provided for in subsection A of this section
7 shall be used for the same purposes specified in section 15-1462 and shall
8 be apportioned to any qualifying district pursuant to section 15-1467.

9 C. THIS SECTION DOES NOT APPLY TO PROVISIONAL COMMUNITY COLLEGE
10 DISTRICTS AS PRESCRIBED IN SECTION 15-1409.

11 Sec. 26. Section 15-1470, Arizona Revised Statutes, is amended to
12 read:

13 15-1470. Community college courses; intergovernmental agreement

14 A. ~~Districts~~ A DISTRICT may offer extension CREDIT AND NONCREDIT
15 courses in ~~counties without an organized community college district~~ AND
16 SERVICES OUTSIDE OF THE DISTRICT IN OTHER DISTRICTS WITHIN THIS STATE.

17 B. A DISTRICT MAY OFFER CREDIT AND NONCREDIT COURSES AND SERVICES
18 OUTSIDE OF THE DISTRICT IN COUNTIES WITHIN THIS STATE WITHOUT AN ORGANIZED
19 DISTRICT.

20 C. A DISTRICT MAY OFFER CREDIT AND NONCREDIT COURSES AND SERVICES
21 OUTSIDE OF THIS STATE. A DISTRICT IS NOT ENTITLED TO STATE AID PAYMENTS FOR
22 STUDENTS WHO ARE PROVIDED COURSES AND SERVICES OUTSIDE OF THIS STATE.

23 D. BEFORE A DISTRICT MAY OFFER COURSES PURSUANT TO SUBSECTION A, THE
24 DISTRICT SHALL ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE DISTRICT
25 OF THE COUNTY IN WHICH THE COURSES WILL BE HELD.

26 ~~B.~~ E. Before a district may offer ~~extension~~ courses pursuant to this
27 section SUBSECTION B, the district shall enter into an intergovernmental
28 agreement with the board of supervisors of the county in which the ~~extension~~
29 courses will be held. The district and the county shall negotiate the amount
30 of reimbursement payable by the county to the district for ~~extension~~ courses
31 conducted within the county no later than July 1.

32 ~~C.~~ F. The intergovernmental agreement entered into as provided in
33 ~~this section~~ SUBSECTION E may not require or permit the county to reimburse
34 the district for noncredit classes.

35 G. THE INTERGOVERNMENTAL AGREEMENT ENTERED INTO AS PROVIDED IN THIS
36 SECTION SHALL INCLUDE PROVISIONS FOR AN ALTERNATIVE DISPUTE RESOLUTION.

37 Sec. 27. Section 15-1481, Arizona Revised Statutes, is amended to
38 read:

39 15-1481. Definitions

40 In this article, unless the context otherwise requires:

41 1. "Acquire" includes purchase, erect, build, construct, reconstruct,
42 repair, replace, extend, better, furnish, equip, develop, improve and
43 embellish.

44 2. "Board" means the governing board of a community college district
45 or its successors, but does not include provisional community college
46 districts as prescribed in section 15-1409.

1 3. "Bonds" means any bonds issued pursuant to this article.

2 4. "Federal agency" means the housing and home finance agency, the
3 United States of America or any of its officers or agencies designated or
4 created to make grants or loans of monies for public construction work.

5 5. "Institution" means any community college district heretofore or
6 hereafter THAT IS organized in this state, ~~in which an election has been held~~
7 ~~approving the organization or integration of the district as part of the~~
8 ~~state community college system and for which a plan of organization or~~
9 ~~integration into the state system of community colleges has been prepared and~~
10 ~~approved by the legislature, as provided in articles 1 through 4 of this~~
11 chapter PURSUANT TO SECTION 15-1402, BUT DOES NOT INCLUDE PROVISIONAL
12 COMMUNITY COLLEGE DISTRICTS AS PRESCRIBED IN SECTION 15-1409.

13 6. "Project" means one or more classrooms, student or faculty
14 residence halls, dormitories, dining halls, student union buildings, field
15 houses, stadia and other revenue producing buildings located at the
16 institution, together with sites for the buildings, and including equipment,
17 furnishings, heating, lighting and other service facilities in connection
18 with the buildings.

19 Sec. 28. Title 15, chapter 14, article 1, Arizona Revised Statutes,
20 is amended by adding section 15-1802.01, to read:

21 15-1802.01. County residency status; community college
22 districts

23 A. EACH COMMUNITY COLLEGE DISTRICT SHALL ADOPT POLICIES REGARDING
24 DOMICILE REQUIREMENTS THAT INCLUDE, AT A MINIMUM, THE FOLLOWING:

25 1. EACH STUDENT SHALL HAVE THE QUESTION OF DOMICILE DETERMINED BEFORE
26 THE TIME OF REGISTRATION AND PAYMENT OF FEES. IT IS THE RESPONSIBILITY OF
27 THE STUDENT TO REGISTER UNDER THE CORRECT DOMICILE DETERMINATION.

28 2. ENFORCEMENT OF DOMICILE REQUIREMENTS SHALL BE THE RESPONSIBILITY
29 OF THE CHIEF EXECUTIVE OFFICER OF EACH COMMUNITY COLLEGE DISTRICT.

30 3. THE CHIEF EXECUTIVE OFFICER OF EACH COMMUNITY COLLEGE DISTRICT
31 SHALL DESIGNATE A REPRESENTATIVE AT EACH COLLEGE OR CAMPUS WHO IS RESPONSIBLE
32 FOR DOCUMENTS AND WHO IS QUALIFIED TO ADMINISTER OATHS AS DEFINED IN SECTION
33 41-311 IN CONNECTION WITH STATEMENTS AND TESTIMONY RELATIVE TO STUDENT
34 DOMICILE STATUS FOR TUITION PURPOSES. AFFIDAVITS SHALL BE SUBMITTED ON A
35 FORM PRESCRIBED BY THE STATE BOARD OF DIRECTORS FOR COMMUNITY COLLEGES.

36 4. IN ADDITION TO THE REQUIREMENTS PRESCRIBED IN SECTION 15-1802,
37 SUBSECTION G, ANY OF THE FOLLOWING MAY BE USED IN DETERMINING A STUDENT'S
38 DOMICILE:

39 (a) AN INCOME TAX RETURN.

40 (b) THE PLACE OF GRADUATION FROM HIGH SCHOOL.

41 (c) THE SOURCE OF FINANCIAL SUPPORT.

42 (d) DEPENDENCY AS INDICATED ON A FEDERAL INCOME TAX RETURN.

43 (e) OWNERSHIP OF REAL PROPERTY.

44 (f) A NOTARIZED STATEMENT OF A LANDLORD OR EMPLOYER.

45 (g) BANK ACCOUNTS.

1 B. EACH COMMUNITY COLLEGE DISTRICT SHALL ADOPT POLICIES REGARDING
2 CLASSIFICATION PROCEDURES FOR A STUDENT FOR NONRESIDENT OR RESIDENT TUITION
3 PURPOSES THAT INCLUDE, AT A MINIMUM, THE FOLLOWING:

4 1. IN DETERMINING A STUDENT'S CLASSIFICATION, THE COLLEGE MAY CONSIDER
5 ALL EVIDENCE, WRITTEN OR ORAL, PRESENTED BY THE STUDENT AND ANY OTHER
6 INFORMATION RECEIVED FROM ANY SOURCE THAT IS RELEVANT TO DETERMINING
7 CLASSIFICATION. THE COLLEGE MAY REQUEST WRITTEN SWORN STATEMENTS OR SWORN
8 TESTIMONY OF THE STUDENT.

9 2. THE DECISION AS TO CLASSIFICATION SHALL BE MADE BY THE
10 REPRESENTATIVE DESIGNATED PURSUANT TO SUBSECTION A, PARAGRAPH 3 OF THIS
11 SECTION. IN MAKING THE DECISION THE REPRESENTATIVE MAY CONSULT WITH OTHER
12 COLLEGE OFFICIALS. DECISIONS BY THE REPRESENTATIVE SHALL BE MADE AS SOON AS
13 POSSIBLE AFTER ALL RELEVANT INFORMATION IS ACQUIRED.

14 3. IF THE REPRESENTATIVE CLASSIFIES THE STUDENT AS A NONRESIDENT FOR
15 TUITION PURPOSES, THE DECISION SHALL BE COMMUNICATED TO THE STUDENT BY MAIL
16 TO THE MOST RECENT ADDRESS FURNISHED TO THE COLLEGE. IF THE STUDENT IS
17 CLASSIFIED AS A NONRESIDENT FOR TUITION PURPOSES, THE STUDENT MUST MAKE
18 SATISFACTORY PROVISION FOR PAYMENT OF NONRESIDENT TUITION AND OTHER CHARGES.

19 C. EACH COMMUNITY COLLEGE DISTRICT SHALL ADOPT A REVIEW AND APPEALS
20 PROCESS FOR STUDENTS CONTESTING A DOMICILE DECISION BY THE COLLEGE.

21 D. AN INDIVIDUAL DOMICILED IN THIS STATE, BUT NOT IN A COMMUNITY
22 COLLEGE DISTRICT, SHALL BE REQUIRED TO SIGN A NOTARIZED STATEMENT AS TO
23 COUNTY RESIDENCY STATING THAT THE INDIVIDUAL HAS RESIDED IN THE COUNTY FOR
24 AT LEAST FIFTY DAYS BEFORE THE FIRST DAY OF CLASSES.

25 Sec. 29. Section 15-1805, Arizona Revised Statutes, is amended to
26 read:

27 15-1805. Student status regulations

28 A. ~~The Arizona board of regents and the state board of directors for~~
29 ~~community colleges~~ shall adopt guidelines applicable to all institutions
30 under their respective ~~jurisdictions~~ JURISDICTION that will insure ENSURE
31 uniform criteria to aid the institutions in determining the tuition status
32 of any student and that will establish uniform procedures for review of that
33 status.

34 B. COMMUNITY COLLEGE DISTRICTS SHALL ADOPT POLICIES APPLICABLE TO ALL
35 INSTITUTIONS UNDER THEIR JURISDICTION THAT WILL ENSURE UNIFORM CRITERIA TO
36 AID THE INSTITUTIONS IN DETERMINING THE TUITION STATUS OF ANY STUDENT AND
37 THAT WILL ESTABLISH UNIFORM PROCEDURES FOR REVIEW OF THAT STATUS.

38 Sec. 30. Title 15, chapter 14, article 1, Arizona Revised Statutes,
39 is amended by adding section 15-1805.01, to read:

40 15-1805.01. Admissions; enrollments; community colleges

41 A. ADMISSIONS TO THE COMMUNITY COLLEGES IN THIS STATE MAY BE GRANTED
42 TO ANY PERSON WHO MEETS ANY ONE OF THE FOLLOWING CRITERIA:

43 1. IS A GRADUATE OF A HIGH SCHOOL THAT IS ACCREDITED BY A REGIONAL
44 ACCREDITING ASSOCIATION AS DEFINED BY THE UNITED STATES OFFICE OF EDUCATION
45 OR APPROVED BY A STATE BOARD OF EDUCATION OR OTHER APPROPRIATE STATE
46 EDUCATIONAL AGENCY.

1 2. HAS A HIGH SCHOOL CERTIFICATE OF EQUIVALENCY.

2 3. IS EIGHTEEN YEARS OF AGE OR OLDER AND DEMONSTRATES EVIDENCE OF
3 POTENTIAL SUCCESS IN THE COMMUNITY COLLEGE.

4 4. IS A TRANSFER STUDENT IN GOOD STANDING FROM ANOTHER COLLEGE OR
5 UNIVERSITY.

6 B. EACH COMMUNITY COLLEGE DISTRICT SHALL ADOPT POLICIES REGARDING THE
7 ADMISSION OF STUDENTS UNDER EIGHTEEN YEARS OF AGE THAT INCLUDE, AT A MINIMUM,
8 THE FOLLOWING REQUIREMENTS:

9 1. ADMISSION TO THE COMMUNITY COLLEGES IN THIS STATE SHALL BE GRANTED
10 TO ANY STUDENT WHO IS UNDER EIGHTEEN YEARS OF AGE AND WHO ACHIEVES A
11 COMPOSITE SCORE OF 930 OR MORE ON THE SCHOLASTIC APTITUDE TEST OR A COMPOSITE
12 SCORE OF TWENTY-TWO OR MORE ON THE AMERICAN COLLEGE TEST.

13 2. A COMMUNITY COLLEGE MAY LIMIT THE NUMBER OF SEMESTER HOURS IN WHICH
14 THE STUDENT MAY ENROLL TO NOT MORE THAN SIX CREDIT HOURS.

15 C. STUDENTS MAY BE ADMITTED ON AN INDIVIDUAL BASIS WITH THE APPROVAL
16 OF COLLEGE OFFICIALS IF THE STUDENT MEETS THE ESTABLISHED REQUIREMENTS OF THE
17 COURSES FOR WHICH THE STUDENT ENROLLS AND THE COLLEGE OFFICIALS DETERMINE
18 THAT THE STUDENT'S ADMISSION IS IN THE BEST INTEREST OF THE STUDENT.

19 Sec. 31. Section 15-1806, Arizona Revised Statutes, is amended to
20 read:

21 15-1806. Testimony concerning student status; designation of
22 persons to administer oaths

23 The Arizona board of regents and the state board of directors for
24 ~~community colleges~~ EACH COMMUNITY COLLEGE DISTRICT shall designate a person
25 employed at each institution under their respective jurisdictions to
26 administer oaths or affirmations in connection with the taking of testimony
27 relative to student status for tuition purposes.

28 Sec. 32. Section 15-1808, Arizona Revised Statutes, is amended to
29 read:

30 15-1808. Tuition waiver of child or spouse of peace officer,
31 fire fighter or emergency paramedic killed in the
32 line of duty; definitions

33 A. The board of regents, after verification by the Arizona peace
34 officers memorial board or by the Arizona fire fighters and emergency
35 paramedics memorial board that a person is a child or a spouse of a peace
36 officer, fire fighter or emergency paramedic who was a resident of the state
37 of Arizona and who was killed in the line of duty or who died from injuries
38 suffered in the line of duty while traveling to or from duty, shall provide
39 the person who qualifies under subsection B OF THIS SECTION and WHO otherwise
40 meets the qualifications for admission with a tuition waiver scholarship at
41 any university under the jurisdiction of the board. ~~The state board of~~
42 ~~directors for community colleges~~ A DISTRICT AS DEFINED IN SECTION 15-1401,
43 after verification by the Arizona peace officers memorial board or by the
44 Arizona fire fighters and emergency paramedics memorial board that a person
45 is the child or the spouse of a peace officer, fire fighter or emergency
46 paramedic who was a resident of Arizona and who was killed in the line of

1 duty or who died from injuries suffered in the line of duty while traveling
2 to or from duty shall provide the person who qualifies under subsection B OF
3 THIS SECTION and WHO otherwise meets the qualifications for admission with
4 a tuition waiver scholarship at any community college under the jurisdiction
5 of the board.

6 B. The tuition waiver scholarships shall be limited to children who
7 are thirty years of age or younger or a spouse who has not remarried and
8 shall be limited for a spouse or for any one child to no more than sixty-four
9 credit hours at Arizona community colleges and a total number of credits
10 including any transfer credits from an Arizona community college equal to the
11 number of credits required for a baccalaureate degree at Arizona universities
12 for that student's initially declared course of study.

13 C. For THE purposes of this section:

14 1. "Emergency paramedic" means a person who has been trained in an
15 emergency paramedic training program certified by the director of the
16 department of health services or in an equivalent training program and who
17 is certified by the director of the department of health services to render
18 services pursuant to section 36-2205.

19 2. "Fire fighter" means a professional fire fighter who is a member
20 of a state, federal, tribal, city, county, district or private fire
21 department.

22 3. "Peace officers" means sheriffs of counties, constables, marshals,
23 police officers of cities and towns, commissioned personnel of the department
24 of public safety and police officers appointed by community college district
25 governing boards or the Arizona board of regents, who have received a
26 certificate from the Arizona peace officer standards and training board, and
27 other state, federal, tribal, city or county officers vested by law with a
28 duty to maintain public order and make arrests.

29 Sec. 33. Section 15-1821, Arizona Revised Statutes, is amended to
30 read:

31 15-1821. Special admission of students under age eighteen;
32 enrollment information; reports

33 A. ~~The state board of directors for community colleges~~ EACH COMMUNITY
34 COLLEGE DISTRICT BOARD shall adopt rules POLICIES which require community
35 colleges under its jurisdiction to admit students under age eighteen who have
36 not yet attained a high school diploma or high school certificate of
37 equivalency and who meet the established requirements of the courses for
38 which they enroll. The Arizona board of regents shall adopt rules which
39 require the universities under its jurisdiction to admit students under age
40 eighteen who have not yet attained a high school diploma or high school
41 certificate of equivalency and who meet the established requirements of the
42 courses for which they enroll.

43 B. The POLICIES AND rules as provided in subsection A shall include
44 the following provisions:

45 1. No student under age eighteen shall be denied admission because of
46 age, lack of a high school diploma or high school certificate of equivalency,

1 grade in school, lack of permission of school officials or lack of concurrent
2 enrollment in a public or private school, if the student has achieved at
3 least a specified score on a college entrance examination.

4 2. A community college or university which admits a student pursuant
5 to paragraph 1 OF THIS SUBSECTION may limit the number of semester credit
6 hours in which the student may enroll to no less than six semester credit
7 hours.

8 3. A student admitted to a community college or university pursuant
9 to paragraph 1 OF THIS SUBSECTION is not guaranteed admission to a specific
10 degree program or to all courses offered by the community college or
11 university.

12 C. The state board of directors for community colleges and the Arizona
13 board of regents shall provide all high schools in this state with
14 information which describes the POLICIES AND rules, AS APPROPRIATE, the types
15 of courses available and other information related to the enrollment of
16 students under the age of eighteen. Each unified or union HIGH school
17 district school shall make this information available to all students in at
18 least grades nine through twelve.

19 D. On or before November 15, the state board of directors for
20 community colleges and the Arizona board of regents shall each submit a
21 report to the president of the senate, the speaker of the house of
22 representatives and the state board of education on students under the age
23 of eighteen who had not yet attained a high school diploma or high school
24 certificate of equivalency and who were enrolled in a university or community
25 college course or A program for community college or university credit during
26 the time period of September of the previous fiscal year through August of
27 the current fiscal year. The annual report shall include at least the
28 following:

29 1. The number of students who were enrolled.

30 2. A general narrative of the types of courses or programs in which
31 the students were enrolled.

32 3. The rules adopted pursuant to subsection A.

33 E. On or before September 30, each institution under the jurisdiction
34 of the ~~state board of directors for community colleges or the Arizona board~~
35 of regents shall submit to the appropriate ARIZONA board OF REGENTS in the
36 form specified by the board the information that the board needs to compile
37 the report required in subsection D.

38 F. ON OR BEFORE SEPTEMBER 30, EACH COMMUNITY COLLEGE DISTRICT SHALL
39 SUBMIT TO THE STATE BOARD OF DIRECTORS FOR COMMUNITY COLLEGES IN THE FORM
40 SPECIFIED BY THE STATE BOARD OF DIRECTORS FOR COMMUNITY COLLEGES THE
41 INFORMATION THAT THE STATE BOARD OF DIRECTORS FOR COMMUNITY COLLEGES NEEDS
42 TO COMPILE THE REPORT REQUIRED IN SUBSECTION D.

1 Sec. 34. Title 15, chapter 14, article 2, Arizona Revised Statutes,
2 is amended by adding section 15-1821.01, to read:

3 15-1821.01. Dual enrollment information

4 ON A DETERMINATION BY A COMMUNITY COLLEGE DISTRICT GOVERNING BOARD THAT
5 IT IS IN THE BEST INTEREST OF THE CITIZENS OF A DISTRICT, THE DISTRICT
6 GOVERNING BOARD MAY AUTHORIZE DISTRICT COMMUNITY COLLEGES TO OFFER COLLEGE
7 COURSES THAT MAY BE COUNTED TOWARD BOTH HIGH SCHOOL AND COLLEGE GRADUATION
8 REQUIREMENTS AT THE HIGH SCHOOL DURING THE SCHOOL DAY SUBJECT TO THE
9 FOLLOWING:

10 1. THE COMMUNITY COLLEGE DISTRICT GOVERNING BOARD AND THE GOVERNING
11 BOARD OF THE SCHOOL DISTRICT OR ORGANIZATION OF WHICH THE HIGH SCHOOL IS A
12 PART SHALL ENTER INTO AN AGREEMENT OR CONTRACT THAT SHALL, AT A MINIMUM,
13 ADDRESS THE RESPONSIBILITY OF THE COMMUNITY COLLEGE AND OF THE HIGH SCHOOL
14 FOR PAYMENT FOR FACILITIES, PERSONNEL AND OTHER COSTS, AND THE MANNER IN
15 WHICH THE COLLEGE TUITION IS TO BE PAID BY OR ON BEHALF OF EACH STUDENT SHALL
16 BE CLEARLY STATED.

17 2. STUDENTS SHALL BE ADMITTED TO THE COMMUNITY COLLEGE UNDER THE
18 POLICIES ADOPTED BY EACH DISTRICT, SUBJECT TO THE FOLLOWING:

19 (a) ALL STUDENTS ENROLLED FOR COLLEGE CREDIT SHALL BE HIGH SCHOOL
20 JUNIORS OR SENIORS. ALL STUDENTS IN THE COURSE, INCLUDING THOSE NOT ELECTING
21 TO ENROLL FOR COLLEGE CREDIT, SHALL SATISFY THE PREREQUISITES FOR THE COURSE
22 AS PUBLISHED IN THE COLLEGE CATALOG AND SHALL COMPLY WITH COLLEGE POLICIES
23 REGARDING STUDENT PLACEMENT IN COURSES.

24 (b) A COMMUNITY COLLEGE MAY WAIVE THE CLASS STATUS REQUIREMENTS
25 SPECIFIED IN SUBDIVISION (a) OF THIS PARAGRAPH FOR UP TO TWENTY-FIVE PER CENT
26 OF THE STUDENTS ENROLLED BY A COLLEGE IN COURSES PROVIDED THAT THE COMMUNITY
27 COLLEGE HAS AN ESTABLISHED WRITTEN CRITERIA FOR WAIVING THE REQUIREMENTS FOR
28 EACH COURSE. THESE CRITERIA SHALL INCLUDE A DEMONSTRATION, BY AN EXAMINATION
29 OF THE SPECIFIC PURPOSES AND REQUIREMENTS OF THE COURSE, THAT FRESHMAN AND
30 SOPHOMORE STUDENTS WHO MEET COURSE PREREQUISITES ARE PREPARED TO BENEFIT FROM
31 THE COLLEGE LEVEL COURSE. ALL EXCEPTIONS AND THE JUSTIFICATION FOR THE
32 EXCEPTIONS SHALL BE REPORTED AS PROVIDED IN PARAGRAPH 6 OF THIS SECTION.

33 3. THE COURSES SHALL BE PREVIOUSLY EVALUATED AND APPROVED THROUGH THE
34 CURRICULUM APPROVAL PROCESS OF THE DISTRICT, SHALL BE AT A HIGHER LEVEL THAN
35 TAUGHT BY THE HIGH SCHOOL AND SHALL BE TRANSFERABLE TO A UNIVERSITY UNDER THE
36 JURISDICTION OF THE ARIZONA BOARD OF REGENTS OR BE APPLICABLE TO AN
37 ESTABLISHED COMMUNITY COLLEGE OCCUPATIONAL DEGREE OR CERTIFICATE PROGRAM.
38 PHYSICAL EDUCATION COURSES SHALL NOT BE AVAILABLE FOR DUAL ENROLLMENT
39 PURPOSES.

40 4. COLLEGE APPROVED TEXTBOOKS, SYLLABUSES, COURSE OUTLINES AND GRADING
41 STANDARDS THAT ARE APPLICABLE TO THE COURSES IF TAUGHT AT THE COMMUNITY
42 COLLEGE SHALL APPLY TO THESE COURSES AND TO ALL STUDENTS IN THE COURSES
43 OFFERED PURSUANT TO THIS SECTION. THE CHIEF EXECUTIVE OFFICER OF EACH
44 COMMUNITY COLLEGE SHALL ESTABLISH AN ADVISORY COMMITTEE OF FULL-TIME FACULTY
45 WHO TEACH IN THE DISCIPLINES OFFERED AT THE COMMUNITY COLLEGE TO ASSIST IN
46 COURSE SELECTION AND IMPLEMENTATION IN THE HIGH SCHOOLS AND TO REVIEW AND

1 REPORT AT LEAST ANNUALLY TO THE CHIEF EXECUTIVE OFFICER WHETHER THE COURSE
2 GOALS AND STANDARDS ARE UNDERSTOOD, THE COURSE GUIDELINES ARE FOLLOWED AND
3 THE SAME STANDARDS OF EXPECTATION AND ASSESSMENT ARE APPLIED TO THESE COURSES
4 AS THOUGH THEY WERE BEING OFFERED AT THE COMMUNITY COLLEGE.

5 5. EACH FACULTY MEMBER SHALL MEET THE REQUIREMENTS ESTABLISHED BY THE
6 GOVERNING BOARD PURSUANT TO SECTION 15-1444. THE CHIEF EXECUTIVE OFFICER OF
7 EACH COMMUNITY COLLEGE DISTRICT SHALL ESTABLISH AN ADVISORY COMMITTEE OF
8 FULL-TIME FACULTY WHO TEACH IN THE DISCIPLINES OFFERED AT THE COMMUNITY
9 COLLEGE DISTRICT TO ASSIST IN THE SELECTION, ORIENTATION, ONGOING
10 PROFESSIONAL DEVELOPMENT AND EVALUATION OF FACULTY TEACHING COLLEGE COURSES
11 IN CONJUNCTION WITH THE HIGH SCHOOLS.

12 6. EACH COMMUNITY COLLEGE DISTRICT SHALL ANNUALLY, ON OR BEFORE
13 SEPTEMBER 1, PROVIDE A REPORT TO THE JOINT LEGISLATIVE BUDGET COMMITTEE ON
14 THE COURSES OFFERED IN CONJUNCTION WITH HIGH SCHOOLS DURING THE PREVIOUS
15 FISCAL YEAR. IN THE CASE OF A MULTICOLLEGE DISTRICT, THE MULTICOLLEGE
16 DISTRICT SHALL PROVIDE A SEPARATE REPORT FOR EACH COLLEGE. THIS REPORT SHALL
17 INCLUDE THE FOLLOWING:

18 (a) DOCUMENTATION OF COMPLIANCE WITH THE REQUIREMENTS IDENTIFIED IN
19 PARAGRAPHS 3, 4 AND 5 OF THIS SECTION.

20 (b) THE NUMBER OF STUDENTS IN EACH COURSE WHO DID NOT MEET THE
21 CRITERIA PRESCRIBED IN PARAGRAPH 2 OF THIS SECTION.

22 (c) THE TOTAL ENROLLMENTS LISTED BY LOCATION, BY HIGH SCHOOL GRADE
23 LEVEL, BY COURSE AND BY WHETHER THE PROGRAM WAS ACADEMIC OR OCCUPATIONAL.

24 (d) SUMMARY DATA ON THE PERFORMANCE OF STUDENTS ENROLLED FOR COLLEGE
25 CREDIT IN COURSES OFFERED IN CONJUNCTION WITH HIGH SCHOOLS, INCLUDING
26 COMPLETION RATES AND GRADE DISTRIBUTION.

27 7. EACH COMMUNITY COLLEGE DISTRICT SHALL CONDUCT TRACKING STUDIES OF
28 SUBSEQUENT ACADEMIC OR OCCUPATIONAL ACHIEVEMENT OF STUDENTS ENROLLED IN
29 COURSES OFFERED PURSUANT TO THIS SECTION. THE REPORT OF THE RESULTS OF THE
30 FIRST TRACKING STUDY SHALL BE SUBMITTED TO THE JOINT LEGISLATIVE BUDGET
31 COMMITTEE ON OR BEFORE SEPTEMBER 1, 2003 AND SUBSEQUENT REPORTS SHALL BE
32 SUBMITTED TO THE JOINT LEGISLATIVE BUDGET COMMITTEE ON OR BEFORE SEPTEMBER
33 1 OF EACH ODD-NUMBERED YEAR THEREAFTER, SUBJECT TO THE FOLLOWING:

34 (a) THE TRACKING STUDIES PRESCRIBED IN THIS PARAGRAPH MAY INVOLVE
35 STATISTICALLY VALID SAMPLING TECHNIQUES AND SHALL INCLUDE, AT A MINIMUM, THE
36 HIGH SCHOOL GRADUATION RATE, THE NUMBER OF STUDENTS CONTINUING THEIR STUDIES
37 AFTER GRADUATION AT A COMMUNITY COLLEGE IN THIS STATE OR A UNIVERSITY UNDER
38 THE JURISDICTION OF THE ARIZONA BOARD OF REGENTS, THE PERFORMANCE OF THE
39 STUDENTS IN SUBSEQUENT COLLEGE COURSES IN THE SAME DISCIPLINE OR OCCUPATIONAL
40 FIELD AND THE STUDENT'S GRADE POINT AVERAGE AFTER ONE YEAR AT AN ARIZONA
41 COMMUNITY COLLEGE OR UNIVERSITY AS COMPARED TO THE STUDENT'S COLLEGE GRADE
42 POINT AVERAGE FOR COURSES COMPLETED WHILE STILL IN HIGH SCHOOL.

43 (b) ON RECEIPT OF THE REPORT OF THE TRACKING STUDIES PRESCRIBED IN
44 THIS PARAGRAPH, THE JOINT LEGISLATIVE BUDGET COMMITTEE SHALL CONVENE AN AD
45 HOC COMMITTEE THAT INCLUDES COMMUNITY COLLEGE ACADEMIC OFFICERS, FACULTY AND
46 OTHER EXPERTS IN THE FIELD TO REVIEW THE MANNER IN WHICH THESE COURSES ARE

1 PROVIDED. THIS COMMITTEE MAY MAKE RECOMMENDATIONS TO THE JOINT LEGISLATIVE
2 BUDGET COMMITTEE REGARDING DESIRABLE CHANGES IN THIS SECTION OR IN THE MANNER
3 IN WHICH THIS SECTION IS BEING IMPLEMENTED. A COPY OF THIS REPORT SHALL BE
4 PROVIDED TO EACH DISTRICT GOVERNING BOARD.

5 8. A SCHOOL DISTRICT SHALL ENSURE THAT A PUPIL IS A FULL-TIME STUDENT
6 AS DEFINED IN SECTION 15-901 AND IS ENROLLED IN AND ATTENDING A FULL-TIME
7 INSTRUCTIONAL PROGRAM AT A SCHOOL IN THE SCHOOL DISTRICT BEFORE THAT PUPIL
8 IS ALLOWED TO ENROLL IN A COLLEGE COURSE PURSUANT TO THIS SECTION, EXCEPT
9 THAT HIGH SCHOOL SENIORS WHO SATISFY HIGH SCHOOL GRADUATION REQUIREMENTS WITH
10 LESS THAN A FULL-TIME INSTRUCTIONAL PROGRAM SHALL BE EXEMPT FROM THIS
11 SUBDIVISION.

12 Sec. 35. Section 15-1822, Arizona Revised Statutes, is amended to
13 read:

14 15-1822. Report; academic performance of high school graduates

15 A. On or before October 31, the state board of directors for community
16 colleges and the Arizona board of regents shall each submit a report to the
17 president of the senate, the speaker of the house of representatives, the
18 superintendent of public instruction and the state board of education on the
19 academic performance of THE preceding year's graduates from high schools in
20 this state enrolled in institutions under their jurisdiction during the year
21 ending on June 30 of the current calendar year. The report shall include for
22 each school at least the following:

23 1. The number of graduates of the school who were enrolled in the
24 institution during the reporting period.

25 2. Information about the academic performance of graduates of the
26 school in mathematics and English courses.

27 B. On or before September 1, each institution under the jurisdiction
28 of the ~~state board of directors for community colleges~~ or the Arizona board
29 of regents shall submit to the appropriate ARIZONA board OF REGENTS in the
30 form specified by the ARIZONA board OF REGENTS the information that the
31 ARIZONA board OF REGENTS needs to compile the report required under this
32 section.

33 C. ON OR BEFORE SEPTEMBER 1, EACH COMMUNITY COLLEGE DISTRICT SHALL
34 SUBMIT TO THE STATE BOARD OF DIRECTORS FOR COMMUNITY COLLEGES IN THE FORM
35 SPECIFIED BY THE STATE BOARD OF DIRECTORS FOR COMMUNITY COLLEGES THE
36 INFORMATION THAT THE STATE BOARD OF DIRECTORS FOR COMMUNITY COLLEGES NEEDS
37 TO COMPILE THE REPORT REQUIRED UNDER THIS SECTION.

38 ~~C.~~ D. The superintendent of public instruction shall provide each
39 high school in this state with a copy of the portion of the report that is
40 applicable to its graduates.

1 Sec. 36. Section 15-1823, Arizona Revised Statutes, is amended to
2 read:

3 15-1823. Identification numbers; social security numbers

4 A. From and after June 30, 2002, if a university under the
5 jurisdiction of the Arizona board of regents assigns an individual
6 identification number to faculty, staff or students at a university, the
7 identification number shall not be identical to the individual's social
8 security number. The university shall not allow the display of the
9 individual's social security number, or any four or more consecutive numbers
10 contained in the individual's social security number, on any internet site
11 maintained by the university or other publicly accessible document for any
12 purpose.

13 B. On request of an individual, a university under the jurisdiction
14 of the Arizona board of regents shall assign faculty, staff or students an
15 individual identification number that is identical to an individual's social
16 security number. A university shall notify faculty, staff or students of the
17 option to obtain an identification number for no additional fee that is
18 identical to the individual's social security number on a form distributed
19 at the time that the individual identification number is assigned.

20 C. ~~If a community college or community college district under the~~
21 ~~jurisdiction of the state board of directors for community colleges~~ assigns
22 an individual identification number to faculty, staff or students at a
23 community college that is identical to an individual's social security
24 number, the community college or community college district shall not allow
25 the display of an individual's social security number, or any four or more
26 consecutive numbers contained in the individual's social security number, on
27 any internet site maintained by the community college or community college
28 district or other publicly accessible document for any purpose.

29 D. On the request of a student, a community college or community
30 college district shall assign the student an identification number that is
31 not identical to the student's social security number. BEGINNING JANUARY 1,
32 2004, IF A HIGH SCHOOL STUDENT IS ENROLLED IN A COLLEGE COURSE OFFERED BY A
33 COMMUNITY COLLEGE DISTRICT PURSUANT TO SECTION 15-1821.01, THE IDENTIFICATION
34 NUMBER ASSIGNED TO THAT STUDENT PURSUANT TO THIS SUBSECTION SHALL CORRESPOND
35 TO THE IDENTIFICATION NUMBER ASSIGNED TO THAT STUDENT IN CONNECTION WITH THE
36 STUDENT ACCOUNTABILITY INFORMATION SYSTEM ESTABLISHED BY SECTION 15-1041. A
37 community college or community college district shall notify students of the
38 option to obtain an individual identification number for no additional fee
39 that is not identical to an individual's social security number in
40 applications for admission, through telecommunications registration
41 procedures, and in college catalogs. Notification in catalogs shall occur
42 no later than June 30, 2000, or in the next printed edition of the catalog
43 after the current one in print, whichever is sooner.

44 E. On the request of a faculty or staff member, a community college
45 or community college district shall assign the faculty or staff member an
46 identification number that is not identical to the faculty or staff member's

1 social security number. A community college or community college district
2 shall provide notification to faculty and staff members of the option to
3 obtain an individual identification number that is not identical to a faculty
4 or staff member's social security number.

5 F. This section does not exempt any regulated institution from any
6 duty of compliance it may have with any federal law that may:

7 1. Regulate that institution's collection or use of social security
8 numbers.

9 2. Protect the privacy rights of faculty, staff or students.

10 G. This section does not prohibit the electronic transfer of student
11 transcripts between educational institutions.

12 Sec. 37. Section 15-1824, Arizona Revised Statutes, is amended to
13 read:

14 15-1824. Transfer articulation; annual report

15 A. The community colleges COLLEGE DISTRICTS and universities shall
16 cooperate in operating a statewide articulation and transfer system,
17 including the process for transfer of lower division general education
18 credits, general elective credits and curriculum requirements for approved
19 majors, to facilitate the transfer of community college students to Arizona
20 public universities without a loss of credit toward a baccalaureate degree
21 and that the postsecondary education needs of students statewide are met
22 without unnecessary duplication of programs.

23 B. The Arizona board of regents and the community colleges COLLEGE
24 DISTRICTS shall submit an annual report of their progress on both
25 articulation and meeting statewide postsecondary education needs to the joint
26 legislative budget committee and the state board of directors for community
27 colleges on or before December 15.

28 Sec. 38. Section 15-1831, Arizona Revised Statutes, is amended to
29 read:

30 15-1831. Information on persons who have completed vocational
31 programs; definitions

32 A. The center for vocational education shall:

33 1. By the end of each calendar year publish and distribute a report
34 of the placement rates and average salaries earned by persons completing
35 vocational programs in this state during the prior fiscal year. This report
36 may include information on a program which would be a vocational program
37 except that it was not completed by at least twenty-five persons during the
38 fiscal year.

39 2. Establish an advisory committee consisting of representatives of
40 both public and private institutions which offer vocational programs. The
41 advisory committee shall advise the center in the implementation of this
42 section.

43 3. Prescribe the format in which institutions which offer vocational
44 programs shall provide the information necessary to produce the report
45 prescribed in paragraph 1 of this subsection.

46 B. The governing board of each community college district shall:

1 1. Transmit to the center for vocational education the following
2 information within thirty days of the end of the fiscal year:

3 (a) The social security number of each person who completed a
4 vocational program during the previous fiscal year.

5 (b) Such information as the center may require in order to conduct a
6 follow-up survey of a sample of PERSONS WHO HAVE COMPLETED vocational program
7 completers PROGRAMS.

8 2. Make available to students prior to or at the time of registration
9 the report distributed by the center for vocational education as prescribed
10 in this section.

11 C. In this section, unless the context otherwise requires:

12 1. "Center for vocational education" means the center for vocational
13 education at a university under the jurisdiction of the Arizona board of
14 regents designated by the board.

15 2. "Vocational program" means a program completed by at least
16 twenty-five persons during the fiscal year and which is one of the following:

17 (a) Operated by a community college district organized pursuant to
18 chapter 12 of this title and designated as a vocational program by the state
19 board of directors for community colleges, including vocational programs
20 operated by a skill center.

21 (b) A private vocational program licensed pursuant to section 32-3021
22 which does not provide a baccalaureate degree.

23 Sec. 39. Section 15-1851, Arizona Revised Statutes, is amended to
24 read:

25 15-1851. Commission for postsecondary education; purpose;
26 report; members; terms; powers and duties;
27 compensation; quorum; personal liability; definition

28 A. The commission for postsecondary education is established as the
29 postsecondary review entity for this state for the conduct, supervision and
30 coordination of the review of postsecondary education institutions in order
31 to determine the eligibility of those institutions for student financial aid
32 monies pursuant to the provisions of part H, subpart one of the higher
33 education amendments of 1992 (P.L. 102-325; 106 Stat. 638; 20 United States
34 Code section 1099a). The commission shall accomplish the purpose of this
35 subsection through the accumulation of information, the performance of
36 studies and the determination of compliance by the postsecondary education
37 institutions with the provisions of part H, subpart one of the higher
38 education amendments of 1992. The review authority of the commission shall
39 be limited to circumstances where the United States department of education
40 has referred an institution to the commission for review or where the United
41 States department of education has approved the review of an institution in
42 accordance with criteria established by the United States department of
43 education. The commission shall keep records of its activities, and the
44 commission shall provide information when requested to the United States
45 secretary of education for financial and compliance audits and for
46 institution evaluation. The scope of authority of the commission acting as

1 a postsecondary review entity to review any educational institution is
2 limited specifically to compliance by the institution with title IV, part H,
3 subpart one of the higher education amendments of 1992. Any review of any
4 institution conducted by the commission shall be performed in the context of
5 the institution's individual mission and purposes. The commission shall not
6 exercise planning, policy, coordinating, supervisory, budgeting or
7 administrative powers over any postsecondary institution in this state.

8 B. The commission shall also administer the applicable programs
9 identified under section 1203 of the higher education act amendments of 1998
10 (P.L. 105-244), including the leveraging educational assistance partnership
11 program, the federal family education loan program and the Paul Douglas
12 teacher scholarships program, and shall supervise the state guarantee agency
13 under the higher education act amendments of 1998.

14 C. In addition to the responsibilities prescribed in subsections A and
15 B of this section, the commission shall:

16 1. Provide a forum to public and private postsecondary education
17 institutions for discussion of issues of mutual interest, including the
18 following:

19 (a) The postsecondary needs of unserved and underserved individuals
20 in this state.

21 (b) The resources of public and private institutions, organizations
22 and agencies that are located in this state and that are capable of providing
23 postsecondary education opportunities.

24 (c) Enrollment demand and public policy options to meet statewide
25 needs for postsecondary education services.

26 (d) Cooperative comprehensive instructional and capital planning.

27 2. Provide reports pursuant to this subsection on discussions of
28 issues of mutual interest.

29 3. Coordinate and promote collaborative studies on issues of mutual
30 interest to public and private postsecondary education institutions.

31 4. Compile and disseminate information to the public regarding
32 postsecondary education opportunities in this state.

33 5. Prepare an annual report that summarizes the results of the
34 commission's activities prescribed in this section and section 15-1852. The
35 annual report shall be submitted to the speaker of the house of
36 representatives, the president of the senate, the governor and the Arizona
37 state library, archives and public records by December 28.

38 D. The commission consists of the executive director of the Arizona
39 board of regents, the ~~executive director~~ SENIOR ADMINISTRATOR of the state
40 board of directors for community colleges, the executive director of the
41 state board for private postsecondary education and the following thirteen
42 additional members who shall be appointed by the governor pursuant to section
43 38-211:

44 1. Two members who hold senior executive or managerial positions in
45 a university under the jurisdiction of the Arizona board of regents.

1 2. Two members who hold senior executive or managerial positions in
2 a community college district ~~that is under the jurisdiction of the state~~
3 ~~board of directors for community colleges~~, one representing a community
4 college district in a county with a population of five hundred thousand
5 persons or more and one representing a community college district in a county
6 with a population of less than five hundred thousand persons.

7 3. Two members who hold senior executive or managerial positions in
8 private postsecondary institutions of higher education that are licensed
9 under title 32, chapter 30, that are located in this state, that offer
10 bachelor or higher degrees and that are accredited by a regional
11 accreditation agency approved by the United States department of education.

12 4. Two members who hold senior executive or managerial positions in
13 private postsecondary institutions of higher education that are licensed
14 under title 32, chapter 30, that are located in this state, that offer
15 vocational education programs and that are accredited by a national
16 accreditation agency approved by the United States department of education.

17 5. One member who holds a senior executive or managerial position in
18 a private cosmetology school that is licensed under title 32, chapter 5, that
19 is located in this state, that offers cosmetology programs approved by the
20 board of cosmetology and that are accredited by a national accreditation
21 agency approved by the United States department of education.

22 6. One member who holds a senior executive or managerial position in
23 an institution that is licensed under title 32, chapter 23 or under the
24 provisions of 14 Code of Federal Regulations part 147, that offers vocational
25 education programs at the postsecondary level, that is located in this state
26 and that is not an institution that is qualified under any other category.

27 7. One member who has held a senior executive or managerial level
28 position in commerce or industry in this state for at least three years
29 before the member's appointment and who is not qualified to serve under any
30 other category.

31 8. Two members who hold senior executive or managerial positions in
32 the high school education system in this state.

33 E. Members of the commission appointed pursuant to subsection D,
34 paragraphs 1 through 8 of this section shall serve four year terms. Appointed
35 members of the commission shall be residents of this state. Appointed
36 members of the commission at all times during their terms shall continue to
37 be eligible for appointment under the category that they were appointed to
38 represent. Terms of appointed members of the commission begin on the third
39 Monday in January. No appointed member of the commission may serve more than
40 two consecutive terms.

41 F. The executive director of the Arizona board of regents, the
42 ~~executive director~~ SENIOR ADMINISTRATOR of the state board of directors for
43 community colleges and the executive director of the state board for private
44 postsecondary education serve as members of the commission during their
45 respective terms of office and are not eligible to vote with respect to the
46 commission's review of any postsecondary institution.

1 G. Members appointed pursuant to subsection D, paragraphs 1 through
2 8 of this section are eligible to receive compensation pursuant to section
3 38-611 for each day spent in the performance of commission duties and may be
4 reimbursed for expenses properly incurred in connection with the attendance
5 at meetings or hearings of the commission.

6 H. The governor shall appoint a chairman from among the members of the
7 commission who shall serve a one year term that begins on the third Monday
8 in January.

9 I. Except as provided in subsection J of this section, a majority of
10 the members of the commission constitutes a quorum for the transaction of
11 commission business. The vote of a majority of the quorum constitutes
12 authority for the commission to act.

13 J. For all purposes relating to title IV, part H, subpart one of the
14 higher education amendments of 1992 the commission membership shall consist
15 only of the members appointed pursuant to subsection D, paragraphs 1 through
16 7 of this section, and all commission actions taken pursuant to title IV,
17 part H, subpart one of the higher education act of 1992 require the
18 affirmative vote of at least six members.

19 K. Members of the commission are immune from personal liability with
20 respect to all actions that are taken in good faith and within the scope of
21 the commission's authority.

22 L. FOR THE PURPOSES OF THIS SECTION, "COMMUNITY COLLEGE DISTRICT"
23 MEANS A COMMUNITY COLLEGE DISTRICT ESTABLISHED PURSUANT TO SECTIONS 15-1402
24 AND 15-1403 THAT IS A POLITICAL SUBDIVISION OF THIS STATE.

25 Sec. 40. Section 15-1854, Arizona Revised Statutes, is amended to
26 read:

27 15-1854. Private postsecondary education student financial
28 assistance program; private postsecondary education
29 student financial assistance fund; definition

30 A. A private postsecondary education student financial assistance
31 program is established. The commission shall develop, implement and
32 administer the program. A student who obtains an associate degree from a
33 community college under the jurisdiction of the state board of directors for
34 community colleges DISTRICT or from a community college under the
35 jurisdiction of an Indian tribe in this state that meets the same
36 accreditation standards as A community colleges under the jurisdiction of the
37 state board of directors for community colleges COLLEGE DISTRICT and who
38 registers for enrollment as a full-time student in a baccalaureate program
39 at a private, nationally or regionally accredited four year degree granting
40 college or university chartered in this state is eligible to submit an
41 application to the commission for participation in the program. The
42 commission shall establish eligibility criteria for the program including
43 financial need and academic merit, shall develop application forms,
44 procedures and deadlines and shall select qualifying students each year for
45 participation in the program. Participating students shall receive an award
46 in an amount of up to one thousand five hundred dollars annually for not to

1 exceed two years and three thousand dollars to be used to pay all or a
2 portion of the tuition and fees charged at the private, accredited four year
3 college or university.

4 B. A private postsecondary education student financial assistance fund
5 is established consisting of legislative appropriations. The commission
6 shall administer the fund. Monies in the fund are exempt from the provisions
7 of section 35-190, relating to lapsing of appropriations. The commission
8 shall make awards for payment of tuition at eligible colleges or universities
9 to students who are selected to participate in the private postsecondary
10 education student financial assistance program pursuant to subsection A.

11 C. The commission shall develop a program evaluation procedure in
12 order to determine the effectiveness of the private postsecondary education
13 student financial assistance program in shifting students who would have
14 otherwise attended a public four year college or university to private four
15 year degree granting colleges or universities.

16 D. A student who fails to receive a baccalaureate degree within a
17 three year period of receipt of the program award shall reimburse the private
18 postsecondary education student financial assistance fund for all awards
19 received pursuant to subsection A.

20 E. FOR THE PURPOSES OF THIS SECTION, "COMMUNITY COLLEGE DISTRICT"
21 MEANS A COMMUNITY COLLEGE DISTRICT ESTABLISHED PURSUANT TO SECTIONS 15-1402
22 AND 15-1403 THAT IS A POLITICAL SUBDIVISION OF THIS STATE.

23 Sec. 41. Section 41-1005, Arizona Revised Statutes, is amended to
24 read:

25 41-1005. Exemptions

26 A. This chapter does not apply to any:

27 1. Rule which relates to the use of public works, including streets
28 and highways, under the jurisdiction of an agency if the effect of the order
29 is indicated to the public by means of signs or signals.

30 2. Order of the Arizona game and fish commission which opens, closes
31 or alters seasons or establishes bag or possession limits for wildlife.

32 3. Rule relating to section 28-641 or to any rule regulating motor
33 vehicle operation which relates to speed, parking, standing, stopping or
34 passing enacted pursuant to title 28, chapter 3.

35 4. Rule concerning only the internal management of an agency which
36 does not directly and substantially affect the procedural or substantive
37 rights or duties of any segment of the public.

38 5. Rule that only establishes specific prices to be charged for
39 particular goods or services sold by an agency.

40 6. Rule concerning only the physical servicing, maintenance or care
41 of agency owned or operated facilities or property.

42 7. Rule or substantive policy statement concerning inmates or
43 committed youth of a correctional or detention facility in secure custody or
44 patients admitted to a hospital, if made by the state department of
45 corrections, the department of juvenile corrections, the board of executive
46 clemency or the department of health services or a facility or hospital under

1 the jurisdiction of the state department of corrections, the department of
2 juvenile corrections or the department of health services.

3 8. Form whose contents or substantive requirements are prescribed by
4 rule or statute, and instructions for the execution or use of the form.

5 9. Capped fee-for-service schedule adopted by the Arizona health care
6 cost containment system administration pursuant to title 36, chapter 29.

7 10. Fees prescribed by section 6-125.

8 11. Order of the director of water resources adopting or modifying a
9 management plan pursuant to title 45, chapter 2, article 9.

10 ~~12. Fees prescribed by section 15-1425.~~

11 ~~13.~~ 12. Fees established under section 3-1086.

12 ~~14.~~ 13. Fee-for-service schedule adopted by the department of economic
13 security pursuant to section 8-512.

14 ~~15.~~ 14. Fees established under sections 41-2144 and 41-2189.

15 ~~16.~~ 15. Rule or other matter relating to agency contracts.

16 ~~17.~~ 16. Fees established under section 32-2067 or 32-2132.

17 ~~18.~~ 17. Rules made pursuant to section 5-111, subsection A.

18 ~~19.~~ 18. Rules made by the Arizona state parks board concerning the
19 operation of the Tonto natural bridge state park, the facilities located in
20 the Tonto natural bridge state park and the entrance fees to the Tonto
21 natural bridge state park.

22 ~~20.~~ 19. Fees or charges established under section 41-511.05.

23 ~~21.~~ 20. Emergency medical services protocols except as provided in
24 section 36-2205, subsection C.

25 ~~22.~~ 21. Fee schedules established pursuant to section 36-3409.

26 ~~23.~~ 22. Procedures of the state transportation board as prescribed in
27 section 28-7048.

28 ~~24.~~ 23. Rules made by the state department of corrections.

29 ~~25.~~ 24. Fees prescribed pursuant to section 32-1527.

30 ~~26.~~ 25. Rules made by the department of economic security pursuant to
31 section 46-805.

32 ~~27.~~ 26. Schedule of fees prescribed by section 23-908.

33 B. Notwithstanding subsection A, paragraph 23 of this section, at such
34 time as the federal highway administration authorizes the privatization of
35 rest areas, the state transportation board shall make rules governing the
36 lease or license by the department of transportation to a private entity for
37 the purposes of privatization of a rest area.

38 C. Coincident with the making of a rule pursuant to an exemption under
39 this section, the agency shall file a copy of the rule with the secretary of
40 state for publication pursuant to section 41-1012.

41 D. Unless otherwise required by law, articles 2, 3, 4 and 5 of this
42 chapter do not apply to the Arizona board of regents and the institutions
43 under its jurisdiction, except that the Arizona board of regents shall make
44 policies or rules for the board and the institutions under its jurisdiction
45 which provide, as appropriate under the circumstances, for notice of and
46 opportunity for comment on the policies or rules proposed.

1 E. Unless otherwise required by law, articles 2, 3, 4 and 5 of this
2 chapter do not apply to the Arizona state schools for the deaf and the blind,
3 except that the board of directors of all the state schools for the deaf and
4 the blind shall adopt policies for the board and the schools under its
5 jurisdiction that provide, as appropriate under the circumstances, for notice
6 of and opportunity for comment on the policies proposed for adoption.

7 Sec. 42. Section 41-2751, Arizona Revised Statutes, is amended to
8 read:

9 41-2751. Definitions

10 In this article, unless the context otherwise requires:

11 1. "GOVERNING BOARD" MEANS THE ARIZONA BOARD OF REGENTS FOR THE
12 UNIVERSITIES OR ANY COMMUNITY COLLEGE DISTRICT GOVERNING BOARD.

13 ~~1.~~ 2. "Invited guests" means persons who enter onto a campus for an
14 educational, research or public service activity and not primarily to
15 purchase or receive goods and services not related to the educational,
16 research or public service activity for which such persons enter onto the
17 campus.

18 ~~2.~~ 3. "Private enterprise" means an individual, firm, partnership,
19 joint venture, corporation, association or any other legal entity engaging
20 in the manufacturing, processing, sale, offering for sale, rental, leasing,
21 delivery, dispensing, distributing or advertising of goods or services for
22 profit.

23 ~~3.~~ 4. "Public service" means an activity that is normally and
24 generally associated with community colleges and universities in this state,
25 a purpose or significant result of which is not to engage in competition with
26 private enterprise.

27 ~~4.~~ 5. "State agency" means a department, office, commission,
28 institution, board or other agency of state organization regardless of
29 whether monies are appropriated to the agency.

30 ~~5. "State governing board" means the Arizona board of regents for the~~
31 ~~universities and the state board of directors for community colleges for the~~
32 ~~community colleges.~~

33 Sec. 43. Section 41-2752, Arizona Revised Statutes, is amended to
34 read:

35 41-2752. State competition with private enterprise prohibited;
36 exceptions

37 A. A state agency shall not engage in the manufacturing, processing,
38 sale, offering for sale, rental, leasing, delivery, dispensing, distributing
39 or advertising of goods or services to the public that are also offered by
40 private enterprise unless specifically authorized by law other than
41 administrative law and executive orders.

42 B. A state agency shall not offer or provide goods or services to the
43 public for or through another state agency or a local agency, including by
44 intergovernmental or interagency agreement, in violation of this section or
45 section 41-2753.

1 C. The restrictions on activities that compete with private enterprise
2 contained in this section do not apply to:

3 1. The development, operation and management of state parks,
4 historical monuments and hiking or equestrian trails.

5 2. Correctional industries established and operated by the state
6 department of corrections providing the prices charged for products sold by
7 the correctional industries are not less than the actual cost of producing
8 and marketing the product plus a reasonable allowance for overhead and
9 administrative costs.

10 3. The Arizona office of tourism.

11 4. The Arizona highways magazine, operated by the department of
12 transportation.

13 5. Printing and distributing information to the public if the agency
14 is otherwise authorized to do so, and printing or copying public records or
15 other material relating to the public agency's public business and recovering
16 through fees and charges the costs of such printing, copying and
17 distribution.

18 6. The department of public safety.

19 7. The construction, maintenance and operation of state transportation
20 facilities.

21 8. The development, distribution, maintenance, support, licensing,
22 leasing or sale of computer software by the department of transportation.

23 9. Agreements executed by the Arizona health care cost containment
24 system administration with other states to design, develop, install and
25 operate information technology systems and related services or other
26 administrative services pursuant to section 36-2925.

27 10. Agreements executed by the department of economic security with
28 other states to design, develop, install and operate support collection
29 technology systems and related services. The department shall deposit,
30 pursuant to sections 35-146 and 35-147, monies received pursuant to this
31 paragraph in the public assistance collections fund established by section
32 46-295.

33 11. Contracts between the department of juvenile corrections and this
34 state, a political subdivision of this state or a private entity in order to
35 provide employment or vocational educational experience.

36 12. The aflatoxin control technologies of the cotton research and
37 protection council.

38 D. The restrictions on activities that compete with private enterprise
39 contained in subsection A of this section do not apply to community colleges
40 and universities under the jurisdiction of a state governing board.

1 Sec. 44. Section 41-2753, Arizona Revised Statutes, is amended to
2 read:

3 41-2753. Competition with private enterprise by community
4 colleges and universities; limitations; rules;
5 complaints

6 A. Community colleges and universities under the jurisdiction of a
7 state governing board shall not, unless specifically authorized by statute:

8 1. Provide to persons other than students, faculty, staff and invited
9 guests goods, services or facilities that are practically available from
10 private enterprise, unless the provision of the goods, service or facility
11 offers a valuable educational or research experience for students as a part
12 of their education or fulfills the public service mission of the community
13 college or university. This paragraph does not apply to sponsoring or
14 providing facilities for recreational, cultural and athletic events or to
15 facilities providing food services and sales.

16 2. Enter competitive bidding for rendering any goods or services
17 unless a clear educational or research advantage would accrue to this state
18 by the community college or university rendering the goods or services. Any
19 such bid shall fairly and fully allocate all direct and indirect costs unless
20 the funding agency or sources provide for or require all bidders to use a
21 specific procedure or formula for allocating costs.

22 3. Provide to students, faculty, staff or invited guests goods,
23 services or facilities that are practically available from private enterprise
24 except as authorized by the state governing board.

25 4. Provide goods, services or facilities for or through another state
26 agency or a local agency, including by intergovernmental or interagency
27 agreement, which, if provided directly by the contractor, would be in
28 violation of this section or section 41-2752.

29 B. ~~The state~~ A governing board may adopt and implement rules OR
30 POLICIES, AS APPROPRIATE, to provide for the disposal by sale of products and
31 by-products which are an integral part of research or instruction conducted
32 by community colleges and universities under its jurisdiction if the products
33 and by-products are not sold to a retailer or sold at retail to the public
34 by the particular community college or university unless the sale is an
35 integral part of the particular research project or instructional program or
36 there is no other practical way of disposing by sale of the products or
37 by-products, and if the products or by-products are sold at their market
38 value.

39 C. ~~The state~~ A governing board shall adopt and implement rules OR
40 POLICIES, AS APPROPRIATE, to:

41 1. Regulate community college and university competition with private
42 enterprise and ensure compliance with this section.

43 2. Regulate use of community college and university facilities by
44 students, faculty, staff, invited guests and the general public.

45 3. Provide procedures for promptly hearing and resolving complaints
46 lodged under this article relating to community colleges and state

1 universities under the jurisdiction of the state governing board. Such
2 procedures shall include provisions for an expedited hearing process if it
3 is determined the alleged competition may cause severe financial hardship on
4 the person filing the complaint.

5 D. Any person aggrieved by a violation of this section may file a
6 complaint with the state governing board. ~~The state governing board shall~~
7 ~~transmit a copy of a complaint received pursuant to this subsection to the~~
8 ~~private enterprise review board.~~ The state governing board shall hear
9 complaints made pursuant to this section within sixty days and shall render
10 its decision within thirty days after the hearing. A person does not have
11 standing to challenge violations of this section in the courts of this state
12 until the person has first made a complaint to the board and has received the
13 board's decision.

14 E. This section does not apply to:

15 1. The Arizona health sciences center operated by the university of
16 Arizona, except in those cases in which the health sciences center provides
17 prosthetic or medical devices, or services related to such devices, and a
18 surgical or medical procedure is not involved in the application of the
19 device.

20 2. The provision of free medical services or equipment to indigents
21 in association with a community service health program.

22 3. Public service radio and television stations licensed to the state
23 governing boards or to community colleges and universities under their
24 jurisdiction.

25 4. Skill centers operated by the community college districts.

26 ~~F. The exceptions to the restrictions on community college and~~
27 ~~university competition with private enterprise in subsections A, B and E of~~
28 ~~this section are subject to review by the private enterprise review board in~~
29 ~~accordance with section 41-2754, subsection 1.~~

30 Sec. 45. Subject to the requirements of article IV, part 1, section
31 1, subsection (6), Constitution of Arizona, section 42-5029, Arizona Revised
32 Statutes, is amended to read:

33 42-5029. Remission and distribution of monies; definition

34 A. The department shall deposit, pursuant to sections 35-146 and
35 35-147, all revenues collected under this article and articles 4, 5, 8 and
36 9 of this chapter pursuant to section 42-1116, separately accounting for:

37 1. Payments of estimated tax under section 42-5014, subsection D.

38 2. Revenues collected pursuant to section 42-5070.

39 3. Revenues collected under this article and article 5 of this chapter
40 from and after June 30, 2000 from sources located on Indian reservations in
41 this state.

42 4. Revenues collected pursuant to section 42-5010, subsection G and
43 section 42-5155, subsection D.

44 B. The department shall credit payments of estimated tax to an
45 estimated tax clearing account and each month shall transfer all monies in
46 the estimated tax clearing account to a fund designated as the transaction

1 privilege and severance tax clearing account. The department shall credit
2 all other payments to the transaction privilege and severance tax clearing
3 account, separately accounting for the monies designated as distribution base
4 under sections 42-5010, 42-5164, 42-5205, 42-5353 and 42-5409. Each month
5 the department shall report to the state treasurer the amount of monies
6 collected pursuant to this article and articles 4, 5, 8 and 9 of this
7 chapter.

8 C. On notification by the department, the state treasurer shall
9 distribute the monies deposited in the transaction privilege and severance
10 tax clearing account in the manner prescribed by this section and by sections
11 42-5164, 42-5205, 42-5353 and 42-5409, after deducting warrants drawn against
12 the account pursuant to sections 42-1118 and 42-1254.

13 D. Of the monies designated as distribution base the department shall:

14 1. Pay twenty-five per cent to the various incorporated municipalities
15 in this state in proportion to their population as shown by the last United
16 States decennial or special census, or revisions to the decennial or special
17 census certified by the United States bureau of the census, to be used by the
18 municipalities for any municipal purpose.

19 2. Pay 38.08 per cent to the counties in this state by averaging the
20 following proportions:

21 (a) The proportion that the population of each county bears to the
22 total state population, as shown by the most recent United States decennial
23 or special census, or revisions to the decennial or special census certified
24 by the United States bureau of the census.

25 (b) The proportion that the distribution base monies collected during
26 the calendar month in each county under this article, section 42-5164,
27 subsection B, section 42-5205, subsection B and sections 42-5353 and 42-5409
28 bear to the total distribution base monies collected under this article,
29 section 42-5164, subsection B, section 42-5205, subsection B and sections
30 42-5353 and 42-5409 throughout the state for the calendar month.

31 3. Pay an additional 2.43 per cent to the counties in this state as
32 follows:

33 (a) Average the following proportions:

34 (i) The proportion that the assessed valuation used to determine
35 secondary property taxes of each county, after deducting that part of the
36 assessed valuation that is exempt from taxation at the beginning of the month
37 for which the amount is to be paid, bears to the total assessed valuations
38 used to determine secondary property taxes of all the counties after
39 deducting that portion of the assessed valuations that is exempt from
40 taxation at the beginning of the month for which the amount is to be paid.

41 Property of a city or town that is not within or contiguous to the municipal
42 corporate boundaries and from which water is or may be withdrawn or diverted
43 and transported for use on other property is considered to be taxable
44 property in the county for purposes of determining assessed valuation in the
45 county under this item.

(ii) The proportion that the distribution base monies collected during the calendar month in each county under this article, section 42-5164, subsection B, section 42-5205, subsection B and sections 42-5353 and 42-5409 bear to the total distribution base monies collected under this article, section 42-5164, subsection B, section 42-5205, subsection B and sections 42-5353 and 42-5409 throughout the state for the calendar month.

(b) If the proportion computed under subdivision (a) of this paragraph for any county is greater than the proportion computed under paragraph 2 of this subsection, the department shall compute the difference between the amount distributed to that county under paragraph 2 of this subsection and the amount that would have been distributed under paragraph 2 of this subsection using the proportion computed under subdivision (a) of this paragraph and shall pay that difference to the county from the amount available for distribution under this paragraph. Any monies remaining after all payments under this subdivision shall be distributed among the counties according to the proportions computed under paragraph 2 of this subsection.

4. After any distributions required by sections 42-5030.01, 42-5031, 42-5032, ~~AND 42-5032.01 and 42-5032.02~~, and after making any transfer to the water quality assurance revolving fund as required by section 49-282, subsection B, credit the remainder of the monies designated as distribution base to the state general fund. From this amount:

(a) The legislature shall annually appropriate to:

(i) The department of revenue sufficient monies to administer and enforce this article and articles 5, 8 and 9 of this chapter.

(ii) The department of economic security monies to be used for the purposes stated in title 46, chapter 1.

(iii) The Arizona arts endowment fund established by section 41-986, the full amount by which revenues derived from the amusement classification pursuant to section 42-5073 for the current fiscal year exceed the revenues that were derived from that classification in fiscal year 1993-1994, except that this amount shall not exceed two million dollars through fiscal year 2008-2009.

(iv) The firearms safety and ranges fund established by section 17-273, fifty thousand dollars derived from the taxes collected from the retail classification pursuant to section 42-5061 for the current fiscal year.

(b) The state treasurer shall transfer to the tourism fund an amount equal to the sum of the following:

(i) Three and one-half per cent of the gross revenues derived from the transient lodging classification pursuant to section 42-5070 during the preceding fiscal year.

(ii) Three per cent of the gross revenues derived from the amusement classification pursuant to section 42-5073 during the preceding fiscal year.

(iii) Two per cent of the gross revenues derived from the restaurant classification pursuant to section 42-5074 during the preceding fiscal year.

1 E. If approved by the qualified electors voting at a statewide general
2 election, all monies collected pursuant to section 42-5010, subsection G and
3 section 42-5155, subsection D shall be distributed each fiscal year pursuant
4 to this subsection. The monies distributed pursuant to this subsection are
5 in addition to any other appropriation, transfer or other allocation of
6 public or private monies from any other source and shall not supplant,
7 replace or cause a reduction in other school district, charter school,
8 university or community college funding sources. The monies shall be
9 distributed as follows:

10 1. If there are outstanding state school facilities revenue bonds
11 pursuant to title 15, chapter 16, article 7, each month one-twelfth of the
12 amount that is necessary to pay the fiscal year's debt service on outstanding
13 state school improvement revenue bonds for the current fiscal year shall be
14 transferred each month to the school improvement revenue bond debt service
15 fund established by section 15-2084. The total amount of bonds for which
16 these monies may be allocated for the payment of debt service shall not
17 exceed a principal amount of eight hundred million dollars exclusive of
18 refunding bonds and other refinancing obligations.

19 2. After any transfer of monies pursuant to paragraph 1 of this
20 subsection, twelve per cent of the remaining monies collected during the
21 preceding month shall be transferred to the technology and research
22 initiative fund established by section 15-1648 to be distributed among the
23 universities for the purpose of investment in technology and research-based
24 initiatives.

25 3. After the transfer of monies pursuant to paragraph 1 of this
26 subsection, three per cent of the remaining monies collected during the
27 preceding month shall be transferred to the workforce development account
28 established in each community college district pursuant to section 15-1472
29 for the purpose of investment in workforce development programs.

30 4. After transferring monies pursuant to paragraphs 1, 2 and 3 of this
31 subsection, one-twelfth of the amount a community college that is owned,
32 operated or chartered by a qualifying Indian tribe on its own Indian
33 reservation would receive pursuant to section 15-1472, subsection D,
34 paragraph 2 if it were a community college district under the jurisdiction
35 of the state board of directors for community colleges shall be distributed
36 each month to the treasurer or other designated depository of a qualifying
37 Indian tribe. Monies distributed pursuant to this paragraph are for the
38 exclusive purpose of providing support to one or more community colleges
39 owned, operated or chartered by a qualifying Indian tribe and shall be used
40 in a manner consistent with section 15-1472, subsection B. For purposes of
41 this paragraph, "qualifying Indian tribe" has the same meaning as defined in
42 section 42-5031.01, subsection D.

43 5. After transferring monies pursuant to paragraphs 1, 2 and 3 of this
44 subsection, one-twelfth of the following amounts shall be transferred each
45 month to the department of education for the increased cost of basic state

1 aid under section 15-971 due to added school days and associated teacher
2 salary increases enacted in 2000:

3 (a) In fiscal year 2001-2002, \$15,305,900.

4 (b) In fiscal year 2002-2003, \$31,530,100.

5 (c) In fiscal year 2003-2004, \$48,727,700.

6 (d) In fiscal year 2004-2005, \$66,957,200.

7 (e) In fiscal year 2005-2006 and each fiscal year thereafter,
8 \$86,280,500.

9 6. After transferring monies pursuant to paragraphs 1, 2 and 3 of this
10 subsection, seven million eight hundred thousand dollars is appropriated each
11 fiscal year, to be paid in monthly installments, to the department of
12 education to be used for school safety as provided in section 15-154 and two
13 hundred thousand dollars is appropriated each fiscal year, to be paid in
14 monthly installments to the department of education to be used for the
15 character education matching grant program as provided in section 15-154.01.

16 7. After transferring monies pursuant to paragraphs 1, 2 and 3 of this
17 subsection, no more than seven million dollars may be appropriated by the
18 legislature each fiscal year to the department of education to be used for
19 accountability purposes as described in section 15-241 and title 15, chapter
20 9, article 8.

21 8. After transferring monies pursuant to paragraphs 1, 2 and 3 of this
22 subsection, one million five hundred thousand dollars is appropriated each
23 fiscal year, to be paid in monthly installments, to the failing schools
24 tutoring fund established by section 15-241.

25 9. After transferring monies pursuant to paragraphs 1, 2 and 3 of this
26 subsection, twenty-five million dollars shall be transferred each fiscal year
27 to the state general fund to reimburse the general fund for the cost of the
28 income tax credit allowed by section 43-1072.01.

29 10. After the payment of monies pursuant to paragraphs 1 through 9 of
30 this subsection, the remaining monies collected during the preceding month
31 shall be transferred to the classroom site fund established by section
32 15-977. The monies shall be allocated as follows in the manner prescribed
33 by section 15-977:

34 (a) Forty per cent shall be allocated for teacher compensation based
35 on performance.

36 (b) Twenty per cent shall be allocated for increases in teacher base
37 compensation and employee related expenses.

38 (c) Forty per cent shall be allocated for maintenance and operation
39 purposes.

40 F. The department shall credit the remainder of the monies in the
41 transaction privilege and severance tax clearing account to the state general
42 fund, subject to any distribution required by section 42-5030.01.

43 G. Notwithstanding subsection D of this section, if a court of
44 competent jurisdiction finally determines that tax monies distributed under
45 this section were illegally collected under this article or articles 5, 8 and
46 9 of this chapter and orders the monies to be refunded to the taxpayer, the

1 department shall compute the amount of such monies that was distributed to
2 each city, town and county under this section. The department shall notify
3 the state treasurer of that amount plus the proportionate share of additional
4 allocated costs required to be paid to the taxpayer. Each city's, town's and
5 county's proportionate share of the costs shall be based on the amount of the
6 original tax payment each municipality and county received. Each month the
7 state treasurer shall reduce the amount otherwise distributable to the city,
8 town and county under this section by one thirty-sixth of the total amount
9 to be recovered from the city, town or county until the total amount has been
10 recovered, but the monthly reduction for any city, town or county shall not
11 exceed ten per cent of the full monthly distribution to that entity. The
12 reduction shall begin for the first calendar month after the final
13 disposition of the case and shall continue until the total amount, including
14 interest and costs, has been recovered.

15 H. On receiving a certificate of default from the greater Arizona
16 development authority pursuant to section 41-1554.06 or 41-1554.07 and to the
17 extent not otherwise expressly prohibited by law, the state treasurer shall
18 withhold from the next succeeding distribution of monies pursuant to this
19 section due to the defaulting political subdivision the amount specified in
20 the certificate of default and immediately deposit the amount withheld in the
21 greater Arizona development authority revolving fund. The state treasurer
22 shall continue to withhold and deposit the monies until the greater Arizona
23 development authority certifies to the state treasurer that the default has
24 been cured. In no event may the state treasurer withhold any amount that the
25 defaulting political subdivision certifies to the state treasurer and the
26 authority as being necessary to make any required deposits then due for the
27 payment of principal and interest on bonds of the political subdivision that
28 were issued before the date of the loan repayment agreement or bonds and that
29 have been secured by a pledge of distributions made pursuant to this section.

30 I. FOR THE PURPOSES OF THIS SECTION, "COMMUNITY COLLEGE DISTRICT"
31 MEANS A COMMUNITY COLLEGE DISTRICT ESTABLISHED PURSUANT TO SECTIONS 15-1402
32 AND 15-1403 THAT IS A POLITICAL SUBDIVISION OF THIS STATE.

33 Sec. 46. Section 49-550, Arizona Revised Statutes, is amended to read:

34 49-550. Violation; classification; civil penalty

35 A. Except as provided in subsection B of this section, any person who
36 violates any provision of this article or any rule of the director adopted
37 under this article is guilty of a class 2 misdemeanor.

38 B. Any person who makes or issues any imitation or counterfeit of an
39 official certificate or certificates of inspection or waiver is guilty of a
40 class 5 felony.

41 C. Any person who knowingly demands or collects a fee for the
42 inspection of a vehicle other than the fee fixed by the director for the
43 inspection of vehicles of the same class is guilty of a class 2 misdemeanor.

44 D. Any person who makes or provides to the director the written
45 statement required to obtain a certificate of waiver pursuant to section

1 49-542, subsection L, knowing the statement to be false, is guilty of a class
2 misdemeanor.

3 E. In addition to any other criminal penalty provided by law, a person
4 who owns a vehicle and whose residence is located outside of area A or area
5 B but who commutes in that vehicle to the driver's principal place of
6 employment located within area A or area B without complying with this
7 article or who violates section 15-1444, subsection C or section 15-1627
8 is subject to a civil penalty of one hundred dollars for a first violation
9 of this subsection. For a second violation of this subsection within a one
10 year period, a court shall impose a civil penalty of three hundred dollars.

11 A court shall impose a civil penalty of twenty-five dollars for a first time
12 violation of this subsection if the owner presents evidence that the vehicle
13 is in compliance with this article.

14 F. In addition to any other criminal penalty provided by law, any
15 dealer who is licensed to sell motor vehicles pursuant to title 28, chapter
16 10, whose place of business is located in area A or area B and who delivers
17 a vehicle that does not conform with this section is subject to a civil
18 penalty of one thousand dollars for a first violation of this
19 subsection. For the second violation of this subsection within a one year
20 period, a court shall impose a civil penalty of two thousand dollars and a
21 suspension of the dealer's license for a period of ninety days.

22 Sec. 47. Joint legislative study committee on community college
23 oversight

24 A. The joint legislative study committee on community college
25 oversight is established consisting of:

26 1. The chairman of the house of representatives education committee,
27 who shall cochair the committee.

28 2. The chairman of the senate education committee, who shall cochair
29 the committee.

30 3. Two members of the house of representatives, one of whom shall be
31 a member of the minority party, who are appointed by the speaker of the house
32 of representatives.

33 4. Two members of the senate, one of whom shall be a member of the
34 minority party, who are appointed by the president of the senate.

35 5. One member who represents a community college district with a
36 population of three hundred thousand or more persons and who is appointed by
37 the speaker of the house of representatives.

38 6. One member who represents a community college district with a
39 population of less than three hundred thousand persons and who is appointed
40 by the president of the senate.

41 7. A chief financial officer of a community college district and who
42 is appointed by the governor.

43 8. One member who represents a statewide tax research association and
44 who is appointed by the president of the senate.

1 9. One member who is a taxpayer from a county with a population of
2 three hundred thousand or more persons and who is appointed by the speaker
3 of the house of representatives.

4 10. One member who is a taxpayer from a county with a population of
5 less than three hundred thousand persons and who is appointed by the
6 president of the senate.

7 11. One member who is a full-time faculty member from a community
8 college district, who oversees a dual enrollment program and who is appointed
9 by the speaker of the house of representatives.

10 12. One governing board member who serves as an elected member of a
11 community college district with a population of less than three hundred
12 thousand persons and who is appointed by the speaker of the house of
13 representatives.

14 13. One member who represents the university system, who has experience
15 or expertise with community college to university course articulation and who
16 is appointed by the governor.

17 14. A superintendent of a school district that offers occupational and
18 dual enrollment courses and who is appointed by the president of the senate.

19 B. The public members who are appointed are not eligible to receive
20 compensation but are eligible for reimbursement of expenses pursuant to title
21 38, chapter 4, article 2, Arizona Revised Statutes.

22 C. The joint legislative budget committee and the legislature shall
23 provide staff, administrative and technical support to the study committee.

24 D. The study committee shall:

25 1. Review current state funding for college operations, capital and
26 equalization concerning funding for college courses, including those offered
27 for dual and concurrent enrollment and credit and noncredit.

28 2. Submit a final report to the governor, the speaker of the house of
29 representatives, the president of the senate, the department of education and
30 the Arizona board of regents by December 15, 2003 with administrative or
31 statutory recommendations regarding community college oversight in this
32 state. A copy of the final report shall be provided to the secretary of
33 state and the director of the Arizona state library, archives and public
34 records.

35 Sec. 48. Delayed repeal

36 Section 47 of this act, relating to the joint legislative study
37 committee on community college oversight, is repealed from and after December
38 31, 2003.

39 Sec. 49. Requirements for enactment; three-fourths vote

40 Pursuant to article IV, part 1, section 1, subsection (6), Constitution
41 of Arizona, section 42-5029, Arizona Revised Statutes, as amended by this
42 act, is effective only on the affirmative vote of at least three-fourths of
43 the members of each house of the legislature.

44 Sec. 50. Retroactivity

45 This act is effective retroactively to from and after June 30, 2003.

APPROVED BY THE GOVERNOR MAY 26, 2003.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 27, 2003.

Passed the House April 14, 20 03

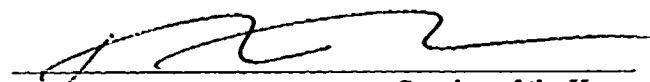
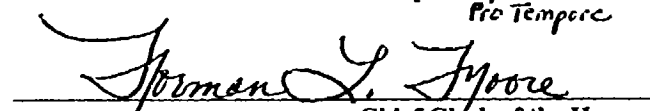
by the following vote: 35 Ayes,



25 Nays, 0 Not Voting

Passed the Senate February 18, 20 03

by the following vote: 29 Ayes,

0 Nays, 1 Not Voting


Speaker of the House
Pro Tempore

Chief Clerk of the House


President of the Senate

Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

 day of , 20 ,

at o'clock M.

Secretary to the Governor

Approved this day of

 , 20 ,

at o'clock M.

Governor of Arizona

S.B. 1105

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this day of , 20 ,

at o'clock M.

Secretary of State

HOUSE FINAL PASSAGE
as per Joint Conference

Passed the House May 19, 2003,

by the following vote: 55 Ayes,

Nays, 5 Not Voting
with Article IV, Part 1, Section 1, for subsection 6, for Section 45
Jake Flake
Speaker of the House

Norman L. Thorne
Chief Clerk of the House

SENATE FINAL PASSAGE
as per Joint Conference

Passed the Senate May 15, 2003,

by the following vote: 23 Ayes,

4 Nays, 3 Not Voting
with Article IV, pt. 1, sec. 1 for Sec 45
John Flinn
President of the Senate

Charmaine Bellington
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor

this 20 day of May, 2003,

at 12:30 o'clock P M.

Sandra Ramirez
Secretary to the Governor

Approved this 26 day of

May, 2003,

at 11⁰⁵ o'clock A. M.

J. A. Nagle
Governor of Arizona

S.B. 1105

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 27 day of May, 2003,

at 2:20 o'clock P. M.

Janice L. Brewer
Secretary of State